

Report to Overview and Scrutiny Review Task and Finish Panel



Date of meeting: 17 January 2013

Subject: OSC Review – Cabinet Liaison

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Decisions Required:

- (1) To hear the views of Councillor Waller on presentations by Cabinet members to Overview and Scrutiny on their work programmes for each year;**
- (2) To formulate any proposals concerning liaison arrangements between the Cabinet and Overview and Scrutiny (OS) for further consultation; and**
- (3) To review the "PICK" system for determining the Overview and Scrutiny work programme.**

Report:

1. This report sets out the legal and constitutional background to the issue of Cabinet/OS liaison, together with points which have arisen during consultation, details of any previous reviews conducted and comments made at the scoping meeting.

Legal/Constitutional Requirements:

Statutory

2. The Council must ensure that their Overview and Scrutiny Committees has the power:
 - (a) to review or scrutinise decisions or any action that is the responsibility of the Executive;
 - (b) to make reports or recommendations to the Executive on matters that are their responsibility.

Constitution

3. The Overview and Scrutiny Committee shall approve a work programme and in compiling the contents the Committee will:

- (a) seek proposals for inclusion from all Members of the Council through the Member's Bulletin;
- (b) invite the Leader of the Council and other Portfolio Holders to submit proposals in respect of the Council's executive functions;
- (c) arrange meetings with the Leader and the other Portfolio Holders to discuss their plans for the year in question;
- (d) agree with the Leader and Portfolio Holders on any items for inclusion in the work programme which may be undertaken by OS on the Cabinet's behalf; and
- (e) monitor the work programme for Overview and Scrutiny in respect of the current year.

Feedback/Suggestions from Consultation:

4. There should be a review of the relationship between Cabinet and Overview & Scrutiny.

5. Use of the Forward Plan to analyse future issues which will come before Cabinet is a better way of achieving effective scrutiny. The Forward Plan could then be used by OS to highlight issues for consideration.

6. The OSC should also undertake a policy development role and pre-scrutinise any difficult issues with the Cabinet.

7. There is a separation between Overview and Scrutiny and the Cabinet, with very little collaboration/discussion with OS Committee in Cabinet decisions. Dialogue/communication is not apparent between the OSC Chairman and the Leader.

8. The current "PICK" process should be reviewed to link the selection of topics for review in relation to forthcoming Cabinet business.

9. The current procedure for reviewing the Cabinet agenda at OSC meetings does not work. OSC only meets one week before the Cabinet which is too late for effective pre-scrutiny. Currently, this procedure is used merely to update Cabinet on what OSC has been doing which is not the point.

Suggestions:

10. Procedures for facilitating dialogue between the Chairman of OSC and the Leader should be arranged. Within this relationship, policy development to be undertaken by OSC on the Cabinet's behalf could be decided.

11. The OSC should use the forward plan to scrutinise the Cabinet.

12. The timing and dates of the OSC should be re-assessed, so the OSC meets earlier before the Cabinet.

13. The Leader of the Council should present a forward plan/statement of priorities to OSC at least once each year coupled with an open session for questions on any subject. This might be as part of an OSC meeting or held separately.

Previous Reviews

14. The Leader should attend the first meeting of the year to outline Cabinet plans.

15. Portfolio Holders should make presentations to the Overview and Scrutiny Committee on aspirations early in each Council year.

16. The Council's Forward Plan (Key decisions list) should be monitored on a regular basis by the Overview and Scrutiny Co-ordinating Committee.

17. There should be a dedicated slot on each Cabinet agenda for the Overview and Scrutiny Co-ordinating Committee Chairman.

Points from Scoping Meeting

18. The relationship between O&S and the Cabinet did not seem as good as it could be, they did not seem to be working well together.

19. The O&S Committee and the Cabinet meetings were too close together.

20. Would it be better to use the forward plan to review the Cabinet's work over a three month period?

Other Matters

21. A copy of the 'PICK' form and procedure is attached.

22. A paper prepared by Councillor G. Waller as part of the earlier consultation process is attached. The Panel previously agreed that it would be useful to hear his views about presentations by the Leader/Cabinet members on the programmes for each year.

Reason for decision:

As determined at the scoping meeting.

Options considered and rejected:

None.

Consultation undertaken:

Previous consultation was carried out with members and officers. The feedback was included in the scoping report to the last meeting of this Panel. Further consultation has been agreed once provisional recommendations on the OSS review have been assembled.

Resource implications: None.

Community Plan/BVPP reference: None.

Relevant statutory powers: Local Government Acts 2000 and 2007 and Localism Act 2011.

Background papers: None.

Environmental/Human Rights Act/Crime and Disorder Act Implications: None.

Key Decision reference: None.

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