

East Herts Council Report

Overview and Scrutiny Committee

Date of meeting: Tuesday 20 June 2023

Report by: Scrutiny Officer

Report title: Overview and Scrutiny – Draft Work Programme – 20 June 2023

Ward(s) affected: (All Wards);

Summary

- This report considers actions for inclusion in the Committee's Draft Work Programme and recommends that a workshop be convened for Members to put forward suggested scrutiny topics to develop the programme for the 2023/24 civic year.

RECOMMENDATIONS FOR OVERVIEW AND SCRUTINY COMMITTEE that:

- A) The main agenda items for the next meeting on 12 September 2023 be agreed.**
- B) Members be invited to a Workshop to develop items for scrutiny for inclusion on the 2023/24 programme.**

1.0 Proposal

- 1.1 **Appendix A** sets out the Draft Work Programme which may be reviewed at any time.
- 1.2 A key function of the Overview and Scrutiny Committee is to hold the Executive to account for its decisions, to review existing policies and consider proposals for new policies. In

doing so, it will act as the Executive's critical friend in the process. Scrutiny is not intended to be adversarial or confrontational, but two sides of the same coin, jointly working together to achieve what is best for residents and the council. In deciding what items the committee should consider, Members should have regard to the Executive's Forward Plan which sets out what key decisions are intended to be taken, and council's corporate plan and issues brought forward by interested parties.

2.0 Background

- 2.1 The draft agenda items so far are set out in **Appendix A**. Paragraph 5.21.2 of the Constitution sets out what the Overview and Scrutiny Committee should take into account when setting its own programme. The timing of some items shown may have to change depending on the availability of information and/or data from external sources and Officers.
- 2.2 By holding a Workshop to develop items for scrutiny in 2023/24, Members will be able to forward plan their work for the whole of the coming civic year, maximising the efficacy of the scrutiny process by taking a longer term, strategic view of the issues facing the council.

3.0 Reason(s)

- 3.1 Members are welcome to submit a scrutiny proposal at any time by completing a Scrutiny Proposal Form at **Appendix B**. This form and the scrutiny flowchart provides guidance in relation to suggested items for scrutiny and the process to be followed. This form when completed, will provide Officers with sufficient information to assess if it is appropriate for scrutiny and to ensure that specific questions are addressed. The Scrutiny Officer will then liaise with Officers and the

Chairman to consider the best way forward to address the subject and complete the scoping document.

- 3.2 Essentials of Scrutiny training was provided by the Centre for Governance and Scrutiny on 25 May 2023. If there is other training which Members feel will complement this training or which is relevant to their role, please advise the Scrutiny Officer.

4.0 Options

- 4.1 The work programme will be kept under review by the Committee throughout the coming year.

5.0 Risks

- 5.1 The establishment of an Overview and Scrutiny Committee is enshrined in the Local Government Act 2000 (Section 9). The 2000 Act obliges local authorities to adopt political management systems with a separate Executive. Various sub sections of the 2000 Act set out the powers and duties for Overview and Scrutiny Committee including the right to investigate and make recommendations on anything which is the responsibility of the Executive. Legislative provisions can also be found in the Localism Act 2011 (Schedule 2) with options to retain or re-adopt a "committee system" Section 9B.
- 5.2 Potential risks arise for the council if policies and strategies are developed and / or enacted without sufficient scrutiny. Approval of an updated work programme contributes to the mitigation of risk (and Call-Ins) by ensuring key activities of the council are scrutinised.

6.0 Implications/Consultations

6.1 Scrutiny is an important part of the local democratic process and represents the interests of residents. It holds the Executive to account on behalf of residents and helps review and improve the functions run by the Council and its local partners. With proper notification, members of the public can forward items for scrutiny (Section 5.19 of the Constitution) and if accepted by the Chairman are allowed to address Members for a maximum of 15 minutes.

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

Yes – the proposed Work Programme envisages the Overview and Scrutiny Committee receiving reports on the progress of the council's environmental strategies.

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes – scrutiny is enshrined in statute (the Local Government Act 2000 as amended by the Localism Act 2011)

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 Appendix A – Draft Work Programme

7.2 Appendix B – Scrutiny Proposal Form

7.3 Appendix C – Scrutiny Flowchart

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