

SCRUTINY CO-ORDINATION COMMITTEE

Meeting: 13 December 2021
At: 6.00 pm

PRESENT

Councillors Keith Holloway, Oliver Johnstone, John McGahan, Wendy Meikle and Mark Roberts.

1. ELECTION OF CHAIR

RESOLVED – That Councillor Mark Roberts be elected Chair of the Scrutiny Co-ordination Committee for the period until the next Annual Council Meeting.

Councillor Mark Roberts in the chair

2. MINUTES

The Minutes (copies of which had been circulated) of the meeting held on 26 April 2021 were approved as a correct record and signed by the Chair; and the notes of the Meeting of Members of the Scrutiny Co-ordination Committee held on 8 November 2021 were approved as a correct record.

3. DECLARATIONS OF INTEREST

Councillors and officers were invited to declare any interests which they had in any of the items on the agenda for the meeting.

No declarations were made.

4. CALL-IN

There were no call-in items to consider.

5. UPDATE ON THE IMPACT OF THE CORONAVIRUS PANDEMIC

The Strategic Head of Service & Monitoring Officer (Legal and Democratic Governance) attended the meeting and provided an update on the conduct of scrutiny business in the light of the ongoing impact of the coronavirus pandemic.

It was reported that there was concern in relation to the speed and spread of the omicron variant of the virus and that in the light of the government having invoked 'Plan B' which included guidance to work from home, it was the advice of the Director of Public Health that where possible, meetings should take place remotely rather than face-to-face.

The following comments were made/ issues raised:-

- Concern was expressed that meetings were continuing to be held face-to-face when they could reasonably be held remotely to minimise the risk of infection.

- It was suggested that where government advice was that people should work from home where possible, it was reasonable for the council to follow that guidance in its approach to the conduct of meetings, subject to ongoing review.
- Where such meetings were required to make decisions, then these would continue to meet on a face-to-face basis.

RESOLVED - That the forthcoming cycle of scrutiny committee meetings continue to be held on a remote basis, with a decision on the format for future meetings being subject to further and ongoing review by this scrutiny committee as a standing item on its agendas.

6. RECOMMENDATIONS AND COMMENTS OF SCRUTINY COMMITTEES

The Chair reported that this item had been placed on the agenda at his request to enable the scrutiny committee to discuss how the recommendations and comments made by scrutiny committees as part of the pre-decision scrutiny process are or should be reflected and reported to the Cabinet to inform their decision-making.

The Chair expressed his concern that in considering a report on the 'Future High Street Fund – Stockroom' proposals, the Cabinet had not had the benefit of a formal record of the discussion and comments made by the three scrutiny committees that had met in advance of its meetings to consider the matter. It was stated that while the resolutions of each of those scrutiny committees had been incorporated, this was insufficient for the decision-maker to understand the specific concerns expressed as part of those deliberations.

The following comments were made/ issues raised:-

- There was already an established process whereby comments of scrutiny committees were incorporated into the final report that was submitted to the Cabinet in relation to the Medium Term Financial Plan item that could be replicated.
- It would not be necessary for comments to be routinely captured in Cabinet reports, however where there was significant dissent or opposition to the proposals then this needed to be brought to the decision-maker's attention.
- It was suggested that the Leader of the Council be invited to attend the next meeting of the scrutiny committee to address the meeting in relation to this issue and how the Cabinet considered the comments and concerns of scrutiny.

RESOLVED – (1) That the Leader of the Council be invited to attend the next meeting of the Scrutiny Committee to provide an overview of how the recommendations and comments of scrutiny committees were considered by the Cabinet.

(2) That the Strategic Head of Service & Monitoring Officer (Legal and Democratic Governance) be requested to develop a protocol for the reporting of scrutiny comments and recommendations within the final report considered by decision-makers.

7. CABINET RESPONSES TO SCRUTINY REVIEW

The Chair reported that this item had been placed on the agenda at his request to enable the scrutiny committee to discuss the response of the Cabinet to scrutiny reviews previously undertaken by scrutiny committees during the 2020/21 municipal year and

whether this complied with Rule 10.3(b) of the Scrutiny Procedure Rules (Consideration of Scrutiny Committee reports by the Cabinet) in the constitution, specifically that:-

“a formal response given within 8 weeks of that consideration and reported to the Scrutiny Committee.”

The Chair stated that it was his understanding that none of the scrutiny reviews undertaken in the previous municipal year had yet received a formal response. It was further commented that there was no mechanism within the constitution for failures to comply with this procedure rule, and that consideration should be given to remedying this.

RESOLVED – (1) That the Strategic Head of Service & Monitoring Officer (Legal and Democratic Governance) be requested to include an item on the agenda of the Constitution Working Party asking that consideration be given to instituting a mechanism for dealing with failures by the Cabinet to comply with the provisions of Scrutiny Procedure Rule 10.3(b).

(2) That the Cabinet be recommended to comply with their duty under Scrutiny Procedure Rule 10.3(b) and provide formal responses to those scrutiny reviews undertaken during the 2020/21 municipal year.

The meeting closed at 6.36 pm