

SCRUTINY CO-ORDINATION COMMITTEE

Meeting: 7 February 2022

At: 6.00 pm

PRESENT

Councillor Mark Roberts (Chair) in the chair; Councillors Keith Holloway, Oliver Johnstone, John McGahan and Wendy Meikle.

1. MINUTES

The Minutes (copies of which had been circulated) of the meeting held on 13 December 2021 were approved as a correct record.

2. 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.

3. CALL-IN

There were no call-in items to consider.

4. 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 since the last meeting of the Scrutiny Committee, the government had taken the decision to remove most of the plan B restrictions that had previously been place.

The following comments were made/ issues raised:-

- It was noted that discussion were ongoing with Group Leaders in relation to the means by which face-to-face meetings were conducted and whether social distancing measures in particular would be retained.
- It was commented that society was increasingly moving towards a return to 'normality', however consideration needed to be given to those members who may be considered vulnerable in any future meeting arrangements.
- It was important that the decision of the Scrutiny Committee was guided by the position nationally and advice from the Council's officers.
- It was acknowledged that remote meetings had worked well, however the appropriate legislation was not currently in place to permit local authorities to exercise the discretion to hold statutory meetings by such means.

- There was a place for remote meetings and a recognition that holding meetings in this way would provide a level of flexibility that may encourage a wider range of people to stand for election.
- It was noted that scrutiny review panel meetings would continue to be held remotely.

RESOLVED - That, subject to any advice or instruction from the government in relation to working from home, the next round of service-based scrutiny committees commencing on 28 February 2022 be held as face-to-face meetings.

5. RECOMMENDATIONS AND COMMENTS OF SCRUTINY COMMITTEES

The Chair reported that following a discussion at the last meeting of the Scrutiny Committee, the Leader of the Council (Councillor Elise Wilson) had been invited to attend the meeting to discuss the means by which the recommendations and comments made by scrutiny committees as part of the pre-decision scrutiny process were or should be reflected and reported to the Cabinet to inform their decision-making.

The Leader of the Council reported on the following:-

- Cabinet Members routinely attended their respective scrutiny committees and so were directly aware of the concerns and comments of members.
- Scrutiny was valued by the Cabinet as an equal partner.
- The comments of scrutiny committees were frequently reported to the Cabinet Meeting by the relevant Cabinet Member.
- In some circumstances the comments and recommendations of scrutiny committees were codified within the report submitted to the Cabinet Meeting.

In response, members of the Scrutiny Committee made the following comments:-

- Rather than relying on the reporting of comments by the Cabinet Member, other members of the Cabinet should consider viewing the webcasts of scrutiny committees. In response, the Leader of the Council stated that this did take place in some circumstances.
- Attendance by Cabinet Members at scrutiny committees and the timely submission of reports should be considered the bare minimum.
- The value of scrutiny needed to be measured in the quality of decision-making in the council.
- It was suggested that scrutiny needed to be more diligent in ensuring that the comments made and discussion held were relevant to the remit of that committee.
- When scrutiny committees resolved to make a recommendation to the Cabinet, this should be considered as a 'red flag'.
- There was the potential for Democratic Services to provide an enhanced role in the reporting of scrutiny comments.
- The Cabinet needed to be provided with sufficient information to ensure that it was able to fully understand the concerns of scrutiny.
- There was a general consensus that the current system did not work and there needed to be a more robust mechanism for the reporting of scrutiny comments and recommendations to the Cabinet.

- There was a desire for an independent commentary to be included in reports to cabinet reflecting the overall views of scrutiny, although it was acknowledged that it would not be appropriate or necessarily possible for this to take place for every report considered by the Cabinet.

RESOLVED – That the Strategic Head of Service & Monitoring Officer (Legal and Democratic Governance) be requested to submit a report to the next meeting of the Scrutiny Committee outlining proposals for the implementation of an appropriate mechanism that would trigger the inclusion of a commentary of the views of scrutiny committees within reports submitted to the Cabinet.

6. CABINET RESPONSES TO SCRUTINY REVIEWS

A representative of the Strategic Head of Service & Monitoring Officer (Legal and Democratic Governance) submitted a report (copies of which had been circulated) detailing the response of the Cabinet to the recommendation made by the Scrutiny Committee at its last meeting in relation to the failure by the Cabinet to comply with Scrutiny Procedure 10.3(b) (Consideration of Scrutiny Committee reports by the Cabinet) with specific reference to the formal response to the recommendations of scrutiny review panels.

It was reported that at the Cabinet Meeting the Deputy Leader of the Council & Cabinet Member for Resources, Commissioning & Governance responded to this recommendation and acknowledged that there had been a delay in providing a response to the scrutiny reviews within the eight week timeframe for those reviews undertaken during 2020/21. It was noted that three of the scrutiny reviews had now received that formal response which had been agreed by the Cabinet last week which left one outstanding.

The Cabinet further noted the separate reference to the Constitution Working Party which would now review whether it was necessary to codify a process through which the Cabinet could be held to account for any failures to comply with this requirement in the future.

RESOLVED – That the report be noted.

The meeting closed at 7.10 pm