



## URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

### Place Overview and Scrutiny Committee

**Tuesday 22 June 2021**

Agenda Item Number	Page	Title	Report Author	Reason for delayed publication
5.	(Pages 3 - 8)	<p>Terms of Reference for the Place Overview and Scrutiny Committee Purpose of the Report</p> <p>The purpose of this report is to set out the proposed remits for West Northamptonshire Council's Place Overview and Scrutiny committee.</p> <p>Recommendation</p> <p>The Committee is Recommended:</p> <p>1.1 To note the Terms of Reference for The Place Overview and Scrutiny Committee</p> <p>** Please note, that this report is to follow **</p>	Tracy Tiff, Deputy Democratic Services Manager	Report unavailable at time of Agenda Publication
6.	(Pages 9 - 14)	<p>Overview and Scrutiny Work Programming Process Purpose of the Report</p> <p>The purpose of this report is to identify the work programming process for 2021/2022</p> <p>Recommendation</p> <p>The Committee is Recommended:</p> <p>1.1 To note the Overview and Scrutiny work programming process for 2021/2022</p>	Tracy Tiff, Deputy Democratic Services Manager	Report unavailable at time of Agenda Publication

		** Please note, that this report is to follow **		
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<b>Item no:</b> <b>To be added by</b> <b>Dem Services</b>
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**WEST NORTHAMPTONSHIRE COUNCIL**

**PLACE OVERVIEW AND SCRUTINY COMMITTEE**

**22 JUNE 2021**

<b>Report Title</b>	<b>Remit of the Place Overview and Scrutiny Committee</b>
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**List of Appendices**

**None**

**1. Purpose of Report**

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- 1.1 The report sets out the remit for the Place Overview and Scrutiny committee as approved by the Overview and Scrutiny Coordinating Group.

**2. Executive Summary**

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- 2.1 The West Northamptonshire Council (WNC) Constitution specifies that the Council will have 3 Overview and Scrutiny Committees: Corporate, People and Place Scrutiny Committees; together with a Coordinating Group made up of the Scrutiny Committee Chairs and Vice Chairs. Arrangements for the remits of the three Scrutiny Committees were determined by the Co-ordinating Group.
- 2.2 The Overview and Scrutiny Coordinating Group, at its meeting on 17 June 2021, approved the remits for the three Scrutiny Committees: Corporate, Place and People.

### **3. Recommendations**

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3.1 It is recommended that the Place Scrutiny Committee:

- a) Notes the remit for the Place Scrutiny Committees as set out at paragraph 5.1 of this report;
- b) Notes that the Overview and Scrutiny Coordinating Group may consider and recommend which Scrutiny Committee, or Scrutiny Committees, are best-placed to deal with any cross-cutting matters that may arise.

#### **3.2 Reason for Recommendations**

3.2.1 The recommendations are intended to enable the West Northamptonshire Council (WNC) Overview and Scrutiny function to carry out its role effectively and to make best use of its resources by establishing a workable division of potential focus areas between the three Scrutiny Committees.

### **4. Report Background**

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4.1 Local government Overview and Scrutiny is based on provisions in relevant legislation, principally the Local Government Act 2000 and the National Health Service Act 2006. Whilst this legislation sets out specific functions and powers for Overview and Scrutiny it does not prescribe how the function should be organised by individual local authorities. This is largely a matter of local choice, informed by factors such as councillors' views about the organisational model that works best for their authority or guidance on good practice from relevant bodies such as the Centre for Governance and Scrutiny. Common organisational models for Overview and Scrutiny used by different authorities include a single committee that appoints subgroups to carry out in-depth scrutiny work or a varying number of 'thematic' scrutiny committees (which may also appoint subgroups). The remits for 'thematic' scrutiny committees are, again, a matter of local choice and might consist of logical groupings of service areas, match an authority's Cabinet portfolios or departmental structure, or be based on a range of other factors.

4.2 WNC has adopted an Overview and Scrutiny structure including 3 'thematic' Scrutiny Committees. These will need to carry out the following core functions of Overview and Scrutiny:

- Holding the Executive to account
- Policy development and review
- Performance monitoring
- Scrutiny of agencies external to WNC

4.3 In addition, the relevant Scrutiny Committee(s) will need to enable WNC to carry out scrutiny of some services or functions that is identified specifically in different legislation:

- Scrutiny of the planning, provision and operation of the health service in the area (NHS Act 2006 as amended by the Health and Social Care Act 2012)
- Scrutiny of decisions and actions taken by organisations making up Community Safety Partnerships in connection with their responsibility for developing and implementing a strategy for the reduction of crime and disorder in the area (Police and Justice Act 2006)
- Scrutiny of flood risk management functions by a lead local flood authority (Local Government Act 2000 as amended by the Localism Act 2011)

4.4 In practice, the statutory health scrutiny function is the most prominent of these areas.

## 5. Issues and Choices

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5.1 The Overview and Scrutiny Coordinating Group considered and approved remits for each of the three Scrutiny committees. Detailed below are the remits for all Scrutiny Committees. The remit for the Place Scrutiny Committee is highlighted:

<b>Corporate Scrutiny Committee</b>	<b>People Scrutiny Committee</b>	<b>Place Scrutiny Committee</b>
Finance and resources	Adult care, public health and wellbeing	<b>Built and natural environment</b>
Corporate services	Housing and communities	<b>Transport and highways</b>
Shared services under the WNC and NNC Shared Services Joint Committee (the WNC Constitution assigns this focus area to the Corporate Scrutiny Committee or equivalent at each authority).	Statutory health scrutiny	<b>Community safety and regulatory services (including statutory crime and disorder scrutiny)</b>
Corporate strategy and priorities	Children, families and education	<b>Economic development, regeneration and growth</b>
		<b>Statutory scrutiny of flood risk management</b>

5.2 The remit for each Scrutiny Committee is broadly reflective of WNC's directorate structure and Executive portfolios, without matching them exactly in order to recognise the potential for changes in these areas over time.

5.3 The Overview and Scrutiny Coordinating Group recognised that the remits for each Scrutiny Committee means that potential focus areas may come within the remit of more than one Scrutiny Committee. For example, housing could be scrutinised as an issue affecting wellbeing or as an aspect of local development.

5.4 The Overview and Scrutiny Coordinating Group considered potential cross-cutting matters that may arise and agreed that it would consider and agree which Scrutiny Committee(s) is best placed to deal with any cross-cutting matters. The WNC Constitution also already states in relation to

matters referred to Overview and Scrutiny under the Budget and Policy Framework Procedure Rules that: “In the case of cross-cutting matters, the Co-ordinating Overview and Scrutiny Group may recommend a particular Overview and Scrutiny Committee considers such matters.” The Coordinating Group agreed, at its recent meeting, that cross cutting matters could come under the remit of more than one Scrutiny Committee.

## **6. Implications (including financial implications)**

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### **6.1 Resources and Financial**

6.1.1 There are no immediate financial implications arising from the proposals. WNC has agreed its overall Overview and Scrutiny committee structure and Scrutiny Committee members have been appointed. This report details the remit for the Place Scrutiny Committee.

### **6.2 Legal**

6.2.1 The approach adopted by the Overview and Scrutiny Co-ordinating Group reflects the statutory duties relating to local authority Overview and Scrutiny and the requirements of the WNC Constitution. It is considered that the remits of each Scrutiny Committee achieve this.

### **6.3 Risk**

6.3.1 The remits for the three Scrutiny Committees set out in this report have been identified in the context of the establishment of WNC as a new authority. There is the potential for issues or challenges to arise when the final agreed version is put into practice. This is likely to be the case with any arrangement of remits adopted by WNC at the start of its life. This risk is also mitigated by the ability of the Overview and Scrutiny function to monitor its own operation and effectiveness and to consider any improvements that may seem necessary in light of experience.

### **6.4 Consultation**

6.4.1 The overall Overview and Scrutiny committee structure for WNC was subject to consultation with the West Northamptonshire Shadow Overview and Scrutiny Committee and the Governance Task and Finish Group during the development of the WNC Constitution in 2020/21.

6.4.2 The Monitoring Officer has been consulted on the proposed remit for this Scrutiny Committee presented in this report ahead of the Co-ordinating Group meeting that was held on 17 June 2021.

### **6.5 Consideration by Overview and Scrutiny**

6.5.1 The Overview and Scrutiny Committee considered the remits for the three Scrutiny Committees at its meeting on 17 June 2021. The Coordinating Group determined the final remits for the three Scrutiny Committees.

6.5.2 Each Scrutiny Committee will receive and note its remit at its inaugural meeting.

6.6 **Climate Impact**

6.6.1 There are no immediate climate implications arising from the proposals.

6.7 **Community Impact**

6.7.1 There are no immediate community implications arising from the proposals. The work of the Scrutiny Committees will deal with issues affecting communities living or working in West Northamptonshire and may cover issues with specific implications in areas such as equalities or community cohesion.

**4 Background Papers**

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Report to the Overview and Scrutiny Coordinating Group – 17 June 2021

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**WEST NORTHAMPTONSHIRE COUNCIL**

**PLACE OVERVIEW AND SCRUTINY COMMITTEE**

**22 JUNE 2021**

<b>Report Title</b>	<b>Work programming process for the Overview and Scrutiny Committees</b>
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<b>MO</b>	Catherine Whitehead	
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**List of Appendices**

**None**

**1. Purpose of Report**

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- 1.1 This report sets out the Scrutiny Work Programming process and timetable for 2021/2022 as approved by the Overview and Scrutiny Coordinating Group at its meeting on 17 June 2021.

**2. Executive Summary**

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- 2.1 Effective work programming establishes directed scrutiny of issues of local importance and ensures that Scrutiny adds value and makes a difference.
- 2.2 Work Programming is the planning stage. Potential topics for scrutiny are identified for the year. These will be investigated either at a Committee meeting or through time limited Task and Finish Groups. It is typical for a long list to be drawn up initially that is reduced to a short list before a final work programme is approved.
- 2.3 The Centre for Governance and Scrutiny (CfGS) states that an effective work programme is central to effective scrutiny. Therefore, a good Scrutiny Work Programme ensures that the Committees are focussing on priority issues, making best use of both time and resources.

designing of a Work Programme for Scrutiny can promote public participation, transparency and demonstrate good governance.

- 2.4 The Coordinating Scrutiny Group will approve the Work Programmes for the three Scrutiny Committees.

### **3. Recommendations**

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- 3.1 It is recommended that:

3.1.1 The Committee considers items for inclusion on its short-term Work Programme for 2021/2022.

3.1.2 The Committee considers a Work Programming event to be held in the autumn 2021/2022 to further develop its Work Programme.

#### **3.2 Reason for Recommendations**

3.2.1 One of Overview and Scrutiny's key roles is to undertake focussed work programming in order that it is ensured that Scrutiny contributes actively to the Council's objectives.

3.2.2 Each of the three Scrutiny Committees should have a Work Programme for the year, every year. The Overview and Scrutiny Coordinating Group, at its meeting on 17 June 2021, agreed that each Scrutiny Committee would compile a short-term Work Programme, for approval by the Overview and Scrutiny Coordinating Group. The short-term Work Programme would be for a period of up to six months.

3.2.3 The Scrutiny Committees would then be asked to hold a Work Programming event to further develop the Work Programme for 2021/2022.

#### **3.3 Work Programming Event**

3.3.1 The Overview and Scrutiny Coordinating Group, at its meeting on 17 June 2021 considered various options for potential work programming for Overview and Scrutiny.

3.3.2 The Overview and Scrutiny Coordinating Group agreed that each Scrutiny Committee should hold individual work programming events, rather than one single work programming event.

3.3.3 The Overview and Scrutiny Coordinating Group agreed that the Scrutiny Committees would develop short-term Work Programmes for submission to the Overview and Scrutiny Coordinating Group for approval.

3.3.3 The Scrutiny Committees will each consider how to run their work Programming events. They could engage with other non-Executive Councillors and Cabinet Members in the format of an interactive workshop.

- 3.3.2 Prior to the event a short questionnaire could be devised asking just one question “what do you want overview and scrutiny to investigate over the next 12 months”, inviting the public to complete. It could be produced via an online survey, such as *SurveyMonkey* and shared by the communications team through the Council’s various social media sites such as Facebook and Twitter. This would encourage public participation in the work programming process. This method has been used by a Local Authority previously, now in the West Northamptonshire area and around 50 suggestions for potential scrutiny were received each; many of which have influenced the Work Programme. The suggestions would be summarised in table format for consideration by the Scrutiny Committee.
- 3.3.3 All Cabinet Members could be invited to the beginning of the event and each Cabinet Member would speak of their priorities for the year; or the Scrutiny Committees may invite the Leader and Cabinet Members whose Cabinet responsibilities align to that Scrutiny Committee. From this, ideas for pre-decision scrutiny could be proposed for inclusion within the work programmes of each Scrutiny Committee. Pre-decision scrutiny is an important part of the Scrutiny function as it investigates a planned decision shortly before it is to be made by Cabinet; or it can carry out pre-decision scrutiny of the planned decision several months before it is considered by Cabinet. Pre-decision scrutiny is recognised as an effective means of scrutiny. Non-executive Councillors would have the opportunity to ask questions of the Cabinet Members at the event. Following Cabinet’s presentations, they would leave the event; taking no part in further discussions being held by non-Executives regarding the drawing together of potential work programmes.
- 3.3.4 Relevant Executive Directors and Assistant Directors could be invited to attend the event and would offer advice on suggestions for potential Scrutiny review; for example, whether the issue was already being looked at within the service area, such information is important as to avoid duplication.
- 3.3.5 The Work Programmes could comprise:
- Pre decision scrutiny topics
  - In depth Scrutiny Reviews, to be undertaken by time limited Task and Finish Groups set up by the Scrutiny Committees. The Chairs of the Task and Finish Groups would provide a short progress report to each meeting of the parent Scrutiny Committee.
  - Inquiry Days for short, sharp scrutiny reviews
  - Performance monitoring
- 3.3.8 The Work Programme should retain flexibility so that urgent items could be incorporated within the year as required.
- 3.3.9 The Scrutiny Committee would monitor its Work Programme at each meeting.

#### **4. Report Background**

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- 4.1 The Centre for Public Scrutiny and Governance advocates that scrutiny committees should agree a work programme at the start of each Municipal year; in order that issues can be scheduled for consideration and reports produced in a timely manner.
- 4.2 The Work Programming should consider the four core functions of scrutiny:
- Holding the Executive to account
  - Policy development and review (often carried out in the format of Task and Finish Group or Inquiry Days)
  - Performance monitoring and
  - External Scrutiny (agencies external to the Council)
- 4.3 It could also consider:
- The corporate priorities of the Council
  - Views of other Councillors, not a member of a Scrutiny Committee
  - Best practice in terms of the process for work programming
- 4.4 There is no set method of work programming for Scrutiny; each Local Authority devises its own methodology. However, the role of scrutiny should be focussed, and the work programming should be prioritised rigorously. It is usual for the work programme to be delivered by a combination of Committee work and Task and Finish Groups that could include committee reports by officers and external representatives, standing committee agenda items such as performance monitoring, scrutiny reviews. Evidence gathering could include consultations, workshops, evidence gathering sessions and site visits.
- 4.5.1 There is a need for flexibility within each Committee's work programme to allow for new topics to be included that could emerge during the year.
- 4.5.2 The Council's constitution states that the Overview and Scrutiny Committees will consult with other parts of the Council as appropriate, including the Cabinet, on the preparation of any work programme.

## **5 Issues and Choices**

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- 5.1 The Overview and Scrutiny Coordinating Group, at its meeting on 17 June 2021, agreed the Work Programming process for each Scrutiny Committee to follow, as detailed in section 4 of this report.
- 5.2 The Overview and Scrutiny Coordinating Scrutiny Group is responsible for approving the work programmes of the Scrutiny Committees.

## **6 Implications (including financial implications)**

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### **6.2 Resources and Financial**

- 6.2.1 There are no immediate financial implications arising from the proposals.

## **6.3 Legal**

- 6.3.1 Overview and Scrutiny operates within the provisions as set out in the Local Government Act 2000, the Health and Social Care Act 2001 and the Local Government and Public Involvement in Health Act 2007. It has had specific powers relating to health services since 2001 and the crime and disorder since 2006.
- 6.3.2 As set out in Part 7, paragraph 7.1.3 of the constitution “The Overview and Scrutiny function will develop a work plan as well as supporting policy development, providing pre-decision scrutiny where appropriate, holding decision-makers to account and exercising the formal call-in of executive decisions to review any concerns about the making of the decision.”
- 6.3.3 Part 7.2 of the Overview and Scrutiny procedure rules states:
- 1.2 the Overview and Scrutiny Committees will consult with other parts of the Council as appropriate, including the Cabinet, on the preparation of any work programme.
- 1.3 The Overview and Scrutiny Committees will take into account any views expressed following consultation under Rule 1.2 above in drawing up any work programme. They should take into account the resources, both Officer and financial, available to support its proposals.

## **6.4 Risk**

- 6.4.1 To comply with the requirements of the Council’s Constitution, the work programmes of the three Scrutiny Committees must be formally approved by the Overview and Scrutiny Coordinating Scrutiny Group.
- 6.4.2 Scrutiny is essential to good governance and enables the voice and concerns of residents and communities to be heard and provides challenge and accountability.

## **6.5 Consultation**

- 6.5.1 Various options for work programming were considered by the Overview and Scrutiny Coordinating Group.
- 6.5.2 The agreed work programming process includes the opportunity for non-Executives, Cabinet, the public and officers to be involved in the Work Programme process.
- 6.5.3 Each meeting of the Scrutiny Committees will include the work programme as an agenda item, providing Members to comment on and input to the Committees work programme further.

## **6.6 Consideration by Overview and Scrutiny**

**6.6.1** The Scrutiny Committee will develop a short-term Work Programme 2021/2022 which will be submitted to the Overview and Scrutiny Coordinating Group for approval.

## **6.7 Climate Impact**

**6.7.1** There are no immediate climate impact implications arising from the proposals.

## **6.8 Community Impact**

**6.8.1** Scrutiny work will need to assess the implications of any recommendations made, including equalities and community cohesion implications.

## **7 Background Papers**

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Report to the Overview and Scrutiny Coordinating Group – 17 June 2021