

WEST NORTHAMPTONSHIRE COUNCIL

OVERVIEW AND SCRUTINY CO-ORDINATING GROUP

17 JUNE 2021

Report Title	West Northamptonshire Council Scrutiny Committees Remits
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List of Appendices

None

1. Purpose of Report

- 1.1 The report sets out proposed remits for West Northamptonshire Council's Overview and Scrutiny committees for consideration and approval by the Co-ordinating Group.

2. Executive Summary

- 2.1 The West Northamptonshire Council (WNC) Constitution specifies that the Council will have 3 Overview and Scrutiny Committees – the Corporate, People and Place Scrutiny Committees – together with a Co-ordinating Group made up of the Scrutiny Committee Chairs and Vice Chairs. Arrangements for the remits for the 3 Scrutiny Committees need to take place and these can be determined by the Co-ordinating Group. This report is intended to support consideration of this matter by the Co-ordinating Group and to present a proposal for its agreement.

3. Recommendations

- 3.1 It is recommended that the Overview and Scrutiny Co-ordinating Group:
- a) Agrees the proposed remits for the Corporate, People and Place Scrutiny Committees set out at paragraph 5.1 of this report;

- b) Agrees that the Co-ordinating Group may consider and recommend which Scrutiny Committee is best-placed to deal with any cross-cutting matters that may arise.

3.2 Reason for Recommendation(s)

- 3.2.1 The recommendations are intended to enable the 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 3 Scrutiny Committees.

4. Report Background

- 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 sub groups to carry out in-depth scrutiny work or a varying number of 'thematic' scrutiny committees (which may also appoint sub groups). 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

- 5.1 The Co-ordinating Group is invited to consider the following proposed remits for each of WNC's Scrutiny committees:

Corporate Scrutiny Committee	People Scrutiny Committee	Place Scrutiny Committee
Finance and resources	Adult care, public health and wellbeing	Built and natural environment
Corporate services	Housing and communities	Transport and highways
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	Community safety and regulatory services (including statutory crime and disorder scrutiny)
Corporate strategy and priorities	Children, families and education	Economic development, regeneration and growth
		Statutory scrutiny of flood risk management

- 5.1 These remits are 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. The proposed remits are considered to represent a straightforward approach that is appropriate at this stage in the life of the WNC Overview and Scrutiny Function. They also seek to establish logical groupings of focus areas for each Scrutiny Committee.
- 5.2 It is emphasised that the proposed remits are intended to provide parameters within which each Scrutiny Committee will work, not a list of areas that should all be covered during a given period. The Scrutiny Committees will need to prioritise what they do within their respective remits.
- 5.3 It is also recognised that the arrangement proposed means that potential focus areas may come within the remit of more than one Scrutiny Committee. As an example, housing could be scrutinised as an issue affecting wellbeing or as an aspect of local development. Similarly, but more functionally, the Overview and Scrutiny Function may need to determine whether finance scrutiny is carried out solely by the Corporate Scrutiny Committee or forms some part of ‘service-focused’ scrutiny by the other two committees.
- 5.4 In practice it is likely that any organisational model for Overview and Scrutiny that uses multiple committees will involve the need to consider how best to deal with cross-cutting issues at some point. It is proposed that the Co-ordinating Group will be able to assist in ensuring that a productive approach is taken at WNC. The Co-ordinating Group will be in a position to consider any cases where crossover between the 3 Scrutiny Committees’ remits means that there is a choice about how a particular piece of work is done and to recommend the final approach. The Co-ordinating Group is asked to agree that it will carry out this role. This reflects its responsibility for approving Scrutiny Committee work programmes. 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.”

5.5 It is open to the Co-ordinating Group to amend the proposed remits presented in this report as it considers necessary when identifying its final preferred arrangements. The remits that are ultimately set should support the aim of enabling the Overview and Scrutiny Function to carry out its role as effectively as possible.

6. Implications (including financial implications)

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 member have been appointed. This report concerns arrangements to be made within these parameters.

6.2 Legal

6.2.1 The approach adopted by the Overview and Scrutiny Co-ordinating Group must reflect the statutory duties relating to local authority Overview and Scrutiny, referred to in section 4 of the report above, and the requirements of the WNC Constitution. It is considered that the proposal set out in this report achieves this.

6.3 Risk

6.3.1 The proposed remits for the 3 Scrutiny Committees set out in this report have been identified in the context of the establishment of WNC as a new authority. Therefore, whilst this report is intended to present a proposal that is informed and workable 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 and Assistant Chief Executive (who is the Statutory Scrutiny Officer for WNC) have been consulted on the proposed remits for the Scrutiny Committees presented in this report ahead of the Co-ordinating Group meeting.

6.5 Consideration by Overview and Scrutiny

6.5.1 This report is being presented to the current meeting to enable the Overview and Scrutiny Co-ordinating Group to consider and determine the final remits for the 3 Scrutiny Committees.

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

None