

Overview & Scrutiny Committee  
5 December 2023

Title: Work Programme, Forward Plan & Comments from Cabinet  
Lead Officer: Lesley Dury, Principal Committee Services Officer  
Portfolio Holder: Not applicable  
Public report  
Wards of the District directly affected: Not applicable

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### Summary

This report informs Members of Overview & Scrutiny Committee:

- (1) of the Committee's work programme for 2023 (Appendix 1);
- (2) responses that Cabinet and Council gave to comments and recommendations made by Overview & Scrutiny Committee and the Budget Review Group regarding the reports to Cabinet 2 November 2023 (Appendix 2);
- (3) responses that Cabinet and Council gave to comments and recommendations made by Overview & Scrutiny Committee regarding the reports to Cabinet 15 November 2023 (Appendix 3 and confidential Appendix 5);
- (4) responses that Joint Cabinet gave to comments and recommendations made by Overview & Scrutiny Committee regarding reports to Joint Cabinet 23 November 2023 (Appendix 4)

### Recommendations

- (1) That Members consider the work programme (Appendix 1), the themes the Committee intends to scrutinise this year and agree changes to its Work Programme appropriately.
  - (2) That the Committee:
    - identifies any Cabinet items on the [Forward Plan](#) on which it wishes to have an input before the Cabinet makes its decision; and
    - nominates a Member to investigate that future decision and report back to the Committee.
  - (3) That Members note the responses made by the Cabinet and Council on the Comments from the Cabinet report (Appendices 2, 3 and confidential Appendix 5).
  - (4) That Members note the responses made by Joint Cabinet on the Comments made by Overview & Scrutiny Committee on the Revisions to the timetable for preparing the South Warwickshire Local Plan report. (Appendix 4).
  - (5) Members discuss the opportunities to further develop scrutiny at Warwick District Council.
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**1 Background/Information & Reasons for the Recommendation**

- 1.1 The five main roles of overview and scrutiny in local government are: holding to account; performance management; policy review; policy development; and external scrutiny.
- 1.2 Two of the five main roles of overview and scrutiny in local government are to undertake pre-decision scrutiny of Cabinet decisions and to feed into policy development.
- 1.3 The pre-decision scrutiny of Cabinet decisions falls within the role of 'holding to account'. To feed into the pre-decision scrutiny of Cabinet decisions, the Committee needs to examine the Council's Forward Plan and identify items which it would like to have an impact upon.
- 1.4 The Council's Forward Plan is published 28 days before each Cabinet meeting and sets out the key decisions that are expected to be taken by the Cabinet in the next twelve months.
- 1.5 A key decision means a decision made in the exercise of an executive function by any person (including officers) or body which meets one or more of the following conditions:

- (1) The decision is likely to result in the Council incurring expenditure or the making of savings in excess of £150,000. Excluded from this are all loans to banks or other financial institutions made in accordance with the Treasury Management Strategy.

Officers' delegated powers to make the cabinet decisions are subject to the key decision/call-in regime where it is likely that the Council would incur expenditure or make savings above the threshold of £150,000.

In relation to letting contracts the key decision is the proposal to let a contract for a particular type of work. The subsequent decision to award the contract to a specific contractor will not be a key decision provided the value of the contract does not vary above the estimated amount by more than 10% for contracts with a value of up to £500,000 or 5% for contracts of over £500,000.

- (2) The decision is likely to be significant in terms of its effects on communities living or working in any two or more Wards.

In considering whether a decision is likely to be significant, a decision-maker will need to consider the strategic nature of the decision and whether the outcome will have an impact, for better or worse on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected.

- 1.6 The Forward Plan is considered at each meeting and allows the Committee to look at future items and become involved in those Cabinet decisions to be taken if members so wish.

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- 1.7 The Forward Plan also identifies non-key decisions to be taken by Cabinet in the next twelve months, and the Committee, if it wishes, may also pre-scrutinise these decisions.
- 1.8 There may also be policies identified on the Forward Plan, either as key or non-key decisions, which the Committee could pre-scrutinise and have an impact upon how these are formulated.
- 1.9 The Committee should be mindful that any work it wishes to undertake would need to be undertaken without the need to change the timescales as set out within the Forward Plan.
- 1.10 At each meeting, the Committee will consider its work programme and make amendments where necessary, and also make comments on specific Cabinet items, where notice has been given by 9am on the morning after Group meetings. The Committee will also receive a report detailing the response from the Cabinet, on the comments the Committee made on the Cabinet agenda in the previous cycle.
- 1.11 The Committee will consider issues that have due significance with reference to the following criteria:
  - The number of residents impacted and the significance of that impact.
  - The amount of spend involved.
  - It concerns a strategic priority of the Council or key project.
- 1.12 On the day of publication of the Cabinet agenda all Councillors are sent an e-mail asking them to contact Committee Services, by 09.00am on the day of the Overview and Scrutiny Committee meeting to advise which Cabinet items they would like the Committee to consider.
- 1.13 The proposed plan at Appendix 1 has been developed in order for the Committee to focus on the four agreed core themes (Covid 19, Climate Change, Medium Term Financial Strategy and Business Plan). While this Committee will not have as much focus on the Medium-Term Financial Strategy, it will have to spend significant times looking at the other areas in detail.
- 1.14 The Committee considered a [report](#) at its meeting in August which talked through the ability to further develop scrutiny. The Committee agreed to bring comments forward to their meeting in December for consideration. The Chairman of the Committee has developed a proposal, with support from officers, which he will be sharing with the Committee ahead of the meeting. If the Committee support this draft proposal it will be developed into a full report for the Committee to consider at its meeting in January 2024.