

Report of the Chair

Scrutiny Programme Committee – 13 March 2017

PRE-DECISION SCRUTINY OF CABINET REPORT – CASTLE GARDEN DEVELOPMENT & PUBLIC REALM OPPORTUNITIES

Purpose	This report provides guidance on pre-decision scrutiny ahead of consideration of the Cabinet report on 'Castle Garden Development & Public Realm Opportunities'
Content	<p>This covering report is focussed on the role of the committee in undertaking pre-decision scrutiny.</p> <p>The actual Cabinet report which is being considered by Cabinet on 16 March is appended.</p>
Councillors are being asked to	<ul style="list-style-type: none">• note the pre-decision scrutiny process and role of the committee• consider the Cabinet report and proposals• agree any views on the proposed decision that are to be raised with Cabinet
Lead Councillor	Councillor Mary Jones, Chair of Scrutiny Programme Committee
Lead Cabinet Member / Officer(s)	<ul style="list-style-type: none">• Councillor Robert Francis-Davies – Cabinet Member for Enterprise, Development & Regeneration• Martin Nicholls, Director – Place
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1. Introduction

- 1.1 Following on from the pre-decision scrutiny session in June 2016 on Castle Square, there is another report scheduled for Cabinet decision on 16 March following the marketing of the Square and consultation.
- 1.2 As requested by the Committee back in June future reports dealing with the development of Castle Square will be presented for pre-decision scrutiny.
- 1.3 The report of the Cabinet Member for Enterprise, Development & Regeneration, which is due to be considered by Cabinet on 16 March, is provided for the committee to undertake pre-decision scrutiny.

2. Role of the Committee

2.1 The purpose of pre-decision scrutiny:

- It entitles scrutiny to discuss proposed Cabinet reports, where a clear recommendation(s) exists, before decisions are taken by the Executive.
- Acting as a 'critical friend', it enables scrutiny to ask questions about a report to develop understanding and inform and influence decision-making, for example asking about:
 - the rationale for the report
 - robustness of the proposed decision and decision-making process
 - potential impact and implications (including policy/budget issues) and risks
 - how different options have been considered
 - the extent of consultation undertaken etc.
- It enables scrutiny to report its views and any issues to Cabinet. The chair, on behalf of the committee, can attend the Cabinet meeting to share the views of scrutiny on the report prior to Cabinet decision. This may include giving support, providing other suggestions on the way forward, or flagging up any concerns.
- The views of scrutiny are required to be formally considered by Cabinet before it makes the decision and feedback should be given including explanation for any rejection of views expressed.

2.2 Councillor Robert Francis-Davies, Cabinet Member for Enterprise, Development & Regeneration will attend the meeting to answer questions and respond to issues raised. Relevant officer(s) involved in the development of the report will also be present to assist the committee and provide appropriate advice.

2.3 The committee (through the chair) will write to the relevant Cabinet Member with its views following pre-decision scrutiny. The chair will have the opportunity to attend the cabinet meeting on 16 March to verbally feedback the committee' views, conclusions and recommendations about the report.

3. Cabinet Response

3.1 Cabinet must formally consider scrutiny views at its meeting on 16 March. It may decide that any issues raised by scrutiny can be dealt with at the meeting and decision taken. It may decide that more time is needed to consider the views of scrutiny and defer decision to the next (or a special) meeting of Cabinet.

3.2 The relevant Cabinet Member is expected to write back to the committee with feedback from Cabinet, and should include explanation of any rejection of scrutiny views.

4. Legal Implications

4.1 In accordance with the Council's Constitution "pre-decision scrutiny gives scrutiny the opportunity to influence Cabinet decision making as a critical friend". "The views of the scrutiny committee are formally presented (either in a written report or verbally by the scrutiny Chair) to the Cabinet meeting for the Cabinet to consider and inform its decision making".

5. Financial Implications

5.1 There are no specific financial implications raised by this report. Financial implications of the actual cabinet report are contained within that report which is appended.

Background Papers: None

Legal Officer: Wendy Parkin

Finance Officer: Carl Billingsley