

Report of the Chair

Scrutiny Programme Committee – 14 August 2017

PRE-DECISION SCRUTINY OF CABINET REPORTS

Purpose	This report provides guidance on pre-decision scrutiny ahead of consideration of the Cabinet reports on: a) All Council Catering Commissioning Review (agenda item 8) b) Planning & City Regeneration Commissioning Review (agenda item 9)
Content	This covering report is focussed on the role of the Committee in undertaking pre-decision scrutiny. The actual Cabinet reports which are being considered by Cabinet on 17 August are included in the agenda within items 8 and 9.
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 reports and proposals (agenda items 8 & 9)• 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)	Tracey Meredith, Head of Legal, Democratic Services and Business Intelligence
Report Author	Brij Madahar, Scrutiny Team Leader Telephone: 01792 637257 brij.madahar@swansea.gov.uk

1. Introduction

1.1 It has been agreed that all commissioning review final reports to Cabinet should undergo pre-decision scrutiny. The Scrutiny Programme Committee will carry out pre-decision scrutiny or delegate reports to be considered to relevant Scrutiny Panels.

1.2 A decision on the following commissioning review final reports is being taken by Cabinet on 17 August:

- All Council Catering Commissioning Review (Report of the Cabinet Member for Service Transformation & Business Operations)

This report concerns school meals, commercial catering & social services catering and outlines a range of options for future service delivery of catering and recommendations made to proceed with a preferred option.

- Planning & City Regeneration (Joint Report of the Cabinet Members for Culture, Tourism & Major Projects and Commercial Opportunities & Innovation)

This report will outline an options appraisal for the Planning & City Regeneration Service and recommendations on the most viable future service options for the service area.

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 Relevant Cabinet Members will attend the meeting to respond to questions and issues raised. Relevant officer(s) involved in the development of the report(s) 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 17 August to verbally feedback the Committee's views, conclusions and recommendations about the report(s).

3. Cabinet Response

3.1 Cabinet must formally consider scrutiny views at its meeting. 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(s) are contained within those reports.

Background Papers: None

Legal Officer: Debbie Smith

Finance Officer: Carl Billingsley