



## Report of the Chair

Scrutiny Programme Committee – 12 February 2018

### Pre-decision Scrutiny – Role of the Committee

<b>Purpose</b>	<p>This report provides guidance on pre-decision scrutiny ahead of consideration of the Cabinet report on:</p> <p>a) Transfer of Management of Allotments from City &amp; County of Swansea to Management Associations.</p>
<b>Content</b>	<p>This covering report explains the role of the Committee in undertaking pre-decision scrutiny.</p> <p>The actual Cabinet report which is being considered by Cabinet on 15 February will be circulated separately following publication of Cabinet agenda.</p>
<b>Councillors are being asked to</b>	<ul style="list-style-type: none"><li>• note the pre-decision scrutiny process and role of the Committee</li><li>• consider the Cabinet reports and proposals</li><li>• agree any views on the proposed decisions that are to be raised with Cabinet</li></ul>
<b>Lead Councillor</b>	Councillor Mary Jones, Chair of Scrutiny Programme Committee
<b>Report Author</b>	Brij Madahar, Scrutiny Team Leader Telephone: 01792 637257 <a href="mailto:brij.madahar@swansea.gov.uk">brij.madahar@swansea.gov.uk</a>
<b>Legal Officer</b>	Debbie Smith
<b>Finance Officer</b>	Paul Cridland

#### 1. Introduction

1.1 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 report is being taken by Cabinet on 15 February:

- Transfer of Management of Allotments from City & County of

## Swansea to Management Associations

This report seeks approval from Cabinet to transfer management of allotments to allotment associations.

The Committee agreed that pre-decision scrutiny should be carried out on this report taking into account interest in this service.

### **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 The relevant Cabinet Member(s) 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 15 February to verbally feedback the Committee's views, conclusions and recommendations about the report.

### **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

**Appendices:** None