



Report of the Chair

Special Scrutiny Programme Committee – 24 April 2020

Pre-decision Scrutiny – Role of the Committee

Purpose	This report provides guidance on pre-decision scrutiny ahead of consideration of the Cabinet report on: a) Financial Procedure Rule 19.1c and FPR7. Authorisation for Alteration and Conversion of Bay Studios, Fabian Way, Swansea into an 1000 Bed Surge Hospital on Behalf of the Swansea Bay University Health Board.
Content	This covering report explains the role of the Committee in undertaking pre-decision scrutiny. The actual Cabinet report which is to be considered by Cabinet on 27 April is appended.
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(s) that are to be raised with Cabinet
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1. Introduction

- 1.1 The Scrutiny Programme Committee will carry out pre-decision scrutiny or delegate to relevant Scrutiny Panels, in respect of proposed cabinet reports as requested.
- 1.2 A report on the Covid-19 emergency build of 1000 bed surge hospital is scheduled for decision by Cabinet on 27 April. The report of the Leader and Cabinet Member for Economy & Strategy is **attached** for pre-decision scrutiny.

The cabinet report recommends that

- 1) The project led by the Council on behalf of Swansea Bay University Health Board to convert the Elba Building, Bay Studios into a surge hospital together with the associated financial implications is approved and added to the capital programme (to comply with FPR7 – addition to capital programme);
- 2) Authority is delegated to the Director of Place in conjunction with the Leader, Chief Finance Officer and Chief Legal Officer to approve the final project cost and to enter into any agreements necessary (based on the draft collaboration agreement included in Appendix A) to ensure the delivery of the project and to protect the Council's interests; and
- 3) The Director of Place and Chief Finance Officer are authorised to recover all expenditure associated with the delivery of the project from Swansea Bay University Health Board in the first instance and if necessary from Welsh Government.

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, social, economic and environmental impact) and risks
 - how different options have been considered
 - the extent of consultation undertaken
 - implementation and measures of success etc.
- It enables scrutiny to provide a perspective and 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 Cabinet Member has been invited to attend the meeting to present the report and respond to questions, along with relevant officer(s) involved in the development of the report who can assist the Committee and provide appropriate advice. The Director of Place, Martin Nicholls, and the Chief Financial Officer, Ben Smith, will attend.

2.3 The Committee (through the chair) will write to the Cabinet Member with its views following pre-decision scrutiny. The Chair will have the opportunity to attend the cabinet meeting on 27 April 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:

Appendix 1: Cabinet Report – Financial Procedure Rule 19.1c and FPR7. Authorisation for Alteration and Conversion of Bay Studios, Fabian Way, Swansea into an 1000 Bed Surge Hospital on Behalf of the Swansea Bay University Health Board.