

Report to Overview and Scrutiny Committee

30 January 2017

By the Scrutiny Officer

INFORMATION REPORT



**Horsham
District
Council**

Not Exempt

Cabinet Member for Housing and Public Protection Interview

Executive Summary

This report defines the method by which the Overview and Scrutiny Committee will undertake the function of interviewing the Cabinet Member for Housing and Public Protection. The Chairman and Vice-Chairman of the Committee have considered the views heard at the November meeting of the Committee and have adjusted the method accordingly.

Recommendations

That the Committee is recommended:

- i) to conduct the Cabinet Member Interview in accordance with the method detailed in section 3 of this report

Reasons for Recommendations

- i) to enable the provisions set out in Part 4c, 12 of the council's constitution.

Background Papers

None.

Wards affected: All wards

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Background Information

1 Introduction and Background

- 1.1 The Council concluded a review of its governance arrangements on 27 April 2016. Paragraph 3.22 of the report to council *Scrutiny 2016 onwards* stated that 'Cabinet Members be held to account by a programme of appearance before the committee'.
- 1.2 Consequently, Part 4C, section 12 of the Constitution was updated to provide for Members (and Officers) to give account to the Overview and Scrutiny Committee. Specifically, the clause states 'As well as reviewing documents, in fulfilling the overview and scrutiny function, the Overview and Scrutiny Committee will require the Leader and each Member of the Cabinet individually to attend before it no less than once in every twelve month period to explain the following matters within their portfolio:
 - (a) any particular decision or series of decisions;
 - (b) the extent to which the actions taken implement Council policy; and/or
 - (c) their performance.'
- 1.3 The Overview and Scrutiny Committee meeting of 9 May (SO/80 refers) received examples of the method other councils use to deliver the function. Committee members feedback was received by the committee on 6 June (SO/9 refers). Two further examples from district councils were provided to members on 25 July (SO/21) which opened discussions with Officers to prepare a method for Horsham District Council. A proposed method was discussed at the November meeting of the Committee.

2 Relevant Council policy

- 2.1 Efficiency, Great Value Services – Analysing and taking timely action to improve performance where necessary.

3 Details

- 3.1 Examination of the method used at other councils and the feedback from committee members enabled officers to propose the following six-step method for which **15 minutes per interview** will be permitted.

Before the meeting

- 1 Officers in consultation with the Cabinet Member will prepare a one-page summary of the portfolio (extracted from the Corporate Plan, forward plan and existing performance information) which will be published with the agenda in the week before the meeting
- 2 Consequent to 1 above, Overview and Scrutiny Committee members' questions (limited to the summary described in 1 above) should be prepared in advance and sent to the scrutiny officer (joseph.gupwell@horsham.gov.uk) and the Chairman of the Overview and Scrutiny Committee **by email by 17:00 on Wednesday 25 January 2017**. Questions should be written with the expectation that both the question and response may be surmised in the minutes of the meeting.

At the meeting

- 3 The Chairman of the Committee will invite the Cabinet Member to present their 2016/17 portfolio summary (appended)
- 4 The Chairman of the Committee will invite those members who prepared advance questions to ask their question
- 5 Responses to any questions shall be provided by the Cabinet member; which may include reference to information published elsewhere or that a response be prepared by officers and circulated after the meeting, as appropriate
- 6 Consequent to 5 above, the Chairman shall hear the views of the Committee, sum-up and close the session with thanks to the Cabinet Member for their participation.

3.2 The Chairman and Vice Chairman of the Committee may reject any questions, subject to informing the questioner of the reasons for rejection. The Chairman and Vice Chairman shall be guided by existing constitutional provisions about the nature and scope of questions in Part 4A 12.

3.3 Nothing in this process replaces or limits Part 4A 10 of the Council's constitution.

4 Next Steps

4.1 The Cabinet Member for Housing and Public Protection has been asked to attend the Committee meeting on 30 January 2017.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

5.1 Overview and Scrutiny is not a cabinet function and constitutional requirements relating to policy development advisory groups do not apply to overview and scrutiny matters.

5.2 The Chairman and Vice Chairman of the Committee have been consulted and considered the feedback from the November meeting of the Committee. The Chairman and Vice-Chairman clarified the following:

- I. the process is one part of the overview and scrutiny function at committee meetings already in the calendar and special meetings of the committee will not be required
- II. the deadline for advanced questions be adjusted to allow a reasonable time for responses to be prepared
- III. that the method will require the support of the committee to be effective

6 Other Courses of Action Considered but Rejected

6.1 To not introduce a method for cabinet member interviews.

7 Resource Consequences

7.1 The resource demand to deliver this method is low.

8 Legal Consequences

8.1 Section 9FA (8) of the Local Government Act 2000 (as updated by the Localism Act 2011), provides for the Overview and Scrutiny Committee to require members of the Cabinet to attend before it to answer questions

9 Risk Assessment

- 9.1 Part of the mitigation of Corporate Risk CRR08 is to enable checks and balances in decision making.

10 Other Considerations

- 10.1 There were no other considerations.