

Report of the Chair of Customer & Corporate Services Scrutiny Management Committee

16 December 2021

1. This report is submitted by the Chair of Customer & Corporate Services Scrutiny Management Committee (CSMC), in accordance with the constitutional requirements set out in Standing order 8.3 (m) to update Council on scrutiny work and to set out any recommendations such as may be made to Council in relation to that work.

Proportionality & arrangements for substitutions

2. The membership of Economy & Place Policy and Scrutiny Committee continues to be dis-proportionate to the make-up of the Council and a Liberal Democrat Member continues to be listed as a substitute for the Green Member on CSMC, leading to a voting majority for the Liberal Democrats whenever this substitution occurs. Members will be aware that I have recorded my concern at these arrangements on several occasions as I believe them to be contrary to the spirit and purpose of the legislation as pertains to proportionality on Scrutiny Committees.
3. I have written to the relevant Group Leaders several times and sought dialogue with individual Members directly. I have also written to the Monitoring Officer and Chief Operating Officer expressing my view that the continuation of this situation not only serves to undermine the democratic institutions of this Council but creates ill-will amongst and between both Members and Officers. This feeds a toxic culture that, in my view, has become even more pervasive since the publication of the Public Interest Report in April this year.
4. I do not raise these concerns lightly and take seriously my responsibility as Chair of the Council's Statutory Scrutiny Committee to protect the integrity of the corporate scrutiny function. I raise them again in light of recent comments from the Local Government Association around the culture within the organisation and do so in the hope that a resolution can yet be found.
5. **Scrutiny Work**
6. This report updates Council on continuing arrangements for scrutiny since my last report to Council in July 2021. In the summer, in line with the improving position related to Covid 19 at that time, formal Scrutiny Committee meetings reverted to being physical face to face meetings held in West Offices. These have been held safely in accordance with

Covid 19 guidelines and good practice, as well as protocols applicable to West Offices itself at this time. However, not without challenges relating to numbers and colder weather as winter approached. Members will be aware that, following advice from our Director of Public Health in response to deteriorating Covid figures, we have now reintroduced remote meetings for scrutiny until the end of January 2022. The situation will be reviewed at that time.

7. In terms of the pattern of meetings, whether face to face or remote, these have continued to follow the format introduced when we first went into lockdown, namely formal monthly meetings of CSMC and quarterly formal meetings of Standing Scrutiny Committees, with Scrutiny Committee Forums also being held quarterly for more detailed consideration of issues. In addition, meetings of Scrutiny Chairs and Vice Chairs have been scheduled for alternate months, although with limited success. For that reason, I intend to review arrangements for these Chairs sessions to stimulate more interest and focus, if possible.
8. In addition to the regular Committee meetings, a number of 'Commissioned' Scrutiny Meetings have been scheduled or taken place including a particularly in-depth series of meetings to consider the proposed changes to City Centre access involving CSMC, Economy & Place and Health Scrutiny Committees. Although it was not possible to agree a cross-party position on the substantive question, a number of unanimous recommendations were subsequently agreed and put forward to Executive.

Scrutiny Resources

9. Resources available to support scrutiny remain limited. We are still in the midst of a pandemic with all the demands on staff and Member time associated with it. There are still no Officers in post dedicated in specialising and supporting scrutiny and that continues to influence how scrutiny is undertaken in the Council moving forward. Equally, directorate officers have limited time to support intense scrutiny reviews. Our corporate scrutiny work plan was specifically introduced in response to these pressures and set out in advance manageable workloads for Members and Officers.

Corporate Scrutiny Work Planning

10. The Chair and Vice Chair of CCSMC have continued to meet monthly to discuss work planning corporately across all Committees in a continued effort to manage resources effectively across the piece and avoid duplication of effort by Scrutiny Committees. An updated version of the

corporate scrutiny work plan is considered by CCSMC. Annex A to this report sets out a current version of the work plan for information.

Reviews

11. I am pleased to report that the Housing & Safer Neighbourhoods Scrutiny Committee has completed a full scrutiny review in this period on affordable homes in new housing developments. The recommendations arising from that review will be considered by the Executive in January 2022. The final report was ably compiled by Councillors Fenton and Pavlovic, as Chair and Vice Chair, in true scrutiny Member-led fashion. Given the current lack of Scrutiny Officers, this demonstrates a model for how Members might wish to proceed with any reviews in the future. It does, of course, rely on a greater commitment from Scrutiny Members in participating in and compiling work for scrutiny reviews. Whilst this is strongly encouraged, it should not be seen as a substitute for appropriately resourcing Democratic Services to properly support Scrutiny going forward.

Post-Decision Call-Ins

12. Since my last report to Council in July 2021, there has been one post decision call-in meeting held on 6 December 2021 to review the Executive decision relating to Strategic Review of City Centre Access and Car Parking. During this meeting, the Green Member on the Committee was substituted by a Liberal Democrat Member. The Call-In fell.

The number of post decision call-ins has decreased in recent months, which hopefully reflects the work scrutiny has been doing to actively engage with Officers on undertaking early pre-decision scrutiny of key business. The benefits organisationally of good, effective early scrutiny are considerable both to Officers and Members and I continue to aspire to a more collaborative culture within scrutiny. The value of engaging Officers in consulting backbench Scrutiny Members early on key projects to help inform the Executive in their decision making, cannot be underestimated. Decision making becomes more roundly informed with the Executive and Scrutiny working together to drive improvement in public services. I will continue to seek to maximise worthwhile opportunities for early pre-decision scrutiny, with Officers, Executive Members and Scrutiny working together to enable us all to focus our time and efforts where they are really needed in these times of stretched resource. **Constitutional Review – Changes to Scrutiny**

13. Members will be aware that there is an ongoing review of the Council's Constitution, which Audit & Governance Committee have been considering. My understanding is that there are likely to be changes to Scrutiny Procedure Rules and the way we currently operate our call in process. As Chair of CCSMC I have provided comments to Audit & Governance Committee, together with those of our Vice Chair, Councillor Fenton. All other Scrutiny Committee Chairs were also offered the opportunity to comment on the proposed changes. Ultimately, any changes will be reported to Full Council for consideration as part of the full revised Constitution.
14. I would like to take this opportunity to remind all Members that this revised constitution will likely last longer than any single administration and that proposed changes should reflect not only the letter but also the spirit and purpose of the legislation and statutory guidance. It is vitally important that all Members consider the implications of any revisions to Scrutiny arrangements both from their current perspective but also from the perspective of their holding different positions or roles in the future. It should go without saying that a robust and constructive scrutiny function is in everyone's interest, whatever the make-up of the administration.

Annual Scrutiny Report

15. To date, this year, we have not yet prepared an Annual Scrutiny Report for consideration by Council, as a result of decreased scrutiny activity during the pandemic. It provides us with an opportunity to review our format and develop a more engaging method of reporting. CCSMC will present an Annual Report to a future Council meeting.

Report Recommendation

16. Members are recommended to receive and note this report;

Reason: To comply with the Council's constitutional requirements for receiving an update from the Chair of CCSSMC.

Councillor J Crawshaw

Chair, Customer & Corporate Services Scrutiny Management & Policy Committee

Annex A – Corporate Scrutiny Work Plan