

# Swindon Borough Council

## Scrutiny Committee

**Tuesday, 28 March 2017**

Committee Room 6, Civic Offices

At 6.30 p.m.

### **Conservative Councillors**

Claire Ellis (Vice-  
Chair)

Emma Faramarzi

Cathy Martyn

Gemma McCracken

Kevin Parry

Vera Tomlinson

Steve Weisinger

### **Labour**

### **Councillors**

Robert Wright  
(Chair)

Emma Bushell

Mark Dempsey

Des Moffatt

James Robbins

Chris Watts

### **Contact Officers:**

Stuart Figini (Committee Officer) 01793 463612 [sfigini@swindon.gov.uk](mailto:sfigini@swindon.gov.uk)

Swindon Borough Council can be contacted at the Civic Offices, Euclid Street, Swindon, SN1 2JH (Telephone 01793 445500)

**Access Arrangements** - The venue is wheelchair accessible and an infrared receiver hearing system is provided. If you have any special requirements to enable you to attend the meeting or would like to receive any of the pages contained in this agenda in a larger print size, please contact the Committee Officer as soon as possible prior to the date of the meeting.

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## **AGENDA**

### **1. Apologies for Absence**

### **2. Declarations of Interest**

Members are reminded that at the start of the meeting they should declare any known interests in any matter to be considered, and also during the meeting if it becomes apparent that they have an interest in the matters being discussed.

### **3. Public Question Time**

See explanatory note below. Please phone the Committee Officer whose name and number appears at the top of this agenda if you need further guidance.

#### 4. Consideration of Cabinet Panel on School Organisation Decisions (Pages 5 - 6)

**Date of Despatch:** 20 March 2017

**Public Question Time** - Swindon Borough Council remains committed to increasing its accountability to the public and to promoting active citizenship. 15 minutes will be allowed at the start of all Council meetings for questions to the Chair from the public about the work of the Committee (except for confidential matters, and matters relating to planning and licensing applications). We will give priority to those who submit questions in writing at least two days before the meeting. Questions must be relevant, clear, and concise. You may not use Public Question Time as an opportunity to make speeches or statements.

Questions in writing should be sent to the Committee Officer whose contact details appear on the agenda above or to the Director of Law and Democratic Services, we will publish it, along with the answer, alongside the Minutes. The process associated with asking a public question is set out in the "Public Question Time at Council Meetings Protocol and Guidance" available on the Council's Website.

(<http://ww5.swindon.gov.uk/moderngov/ecCatDisplay.aspx?sch=doc&cat=13338&path=0>) or from the Committee Officer named above.

#### **The Scrutiny Committee - Terms of Reference**

- To meet at regular intervals to review the policies, process and implications of Cabinet, Cabinet Member and Officer decision making and the way in which Cabinet and Cabinet Member decisions are made;
- To consider requests for "Call-in" as defined in the Council's "Call-in" Procedure;
- To refer decisions back to Cabinet (or the decision maker) for reconsideration. It may do this once for any individual decision, after which if there is no agreement the decision will be referred to the full Council for determination;
- To refer Cabinet and Cabinet Member decisions to the relevant Overview and Scrutiny Committee for investigation without delaying the implementation of the decision concerned;
- To receive a report by the Leader of the Council at its first meeting after each Annual Council Meeting (or at such a meeting as is agreed by the Chair of the Committee and the Leader of the Council) on the service issues for the year ahead, the Leader of the Council's priorities for the coming year and on the Council's performance in the previous year;
- To oversee the arrangements for Overview and Scrutiny within the Council, including determining (i) where matters fall within the remit of more than one Overview and Scrutiny Committee which of those Committees will assume responsibility for any particular issue, (ii) a system to ensure that referrals from Committees to the Cabinet, either by way of report or for reconsideration are managed efficiently and do not exceed any limits set out in the Council's Constitution, and (iii) in the event of reports to the Cabinet exceeding any limits in this Constitution or if the volume of such reports creates difficulty for the management of Cabinet business or jeopardises the efficient running of Council business, at the request of the Cabinet to make decisions about the priority of

referrals made.

- To carry out any investigation into the business and functions of the Council and to call in any Cabinet Member or senior officer of the Council so that they can offer advice, support or answer any question that will assist the Committee in carrying out its functions.
- To carry out an external scrutiny function, particularly in relation to corporate issues and issues falling into the remit of a number of Overview and Scrutiny Committees.

To fulfil all the functions of an overview and scrutiny committee as they relate to –

- the review, scrutiny and development of policy recommendations;
- the management of performance,
- the monitoring of progress against corporate priorities and
- the formulation of advice for the Cabinet, Council and other partners and stakeholders.

To have specific responsibility (but not limited to)

- Good governance and the operation of Law and Democratic Services
- The Budget Scrutiny function.

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## Consideration of Cabinet Panel Decisions

**Scrutiny Committee**

**Date: 28<sup>th</sup> March 2017**

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Author:	Director of Law and Democratic Services
Wards:	All
Locality Affected:	All
Parishes Affected:	All

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### **1. Purpose and Reasons**

- 1.1 To allow the Scrutiny Committee to consider the decisions arising from the meeting of the Cabinet Panel on School Organisation held on the 27<sup>th</sup> March 2017.
- 1.2 The Scrutiny Committee's Terms of Reference include the review of the Cabinet decision making process and the way in which Cabinet decisions are made. As part of the Scrutiny function the Scrutiny Committee is able: -
  - (a) to refer decisions back to Cabinet for reconsideration. It may do this once for any individual decision, after which, if there is no agreement, the decision will be referred to the full Council for determination
  - (b) to refer Cabinet decisions to the relevant Overview Committee

### **2. Recommendations**

The Committee is recommended to:

- 2.1 Review the process of Cabinet decision-making and the decisions made.

### **3. Detail**

- 3.1 The Scrutiny Committee is invited to review the decisions of the Cabinet to be held on 15<sup>th</sup> March 2017. (The minutes of this meeting will be forwarded to Members as soon as they become available.)

### **4. Alternative Options**

- 4.1 None

### **5. Implications, Diversity Impact Assessment and Risk Management**

Financial and Procurement Implications

- 5.1 This report has no financial or procurement implications. Such implications are set out in the original reports previously circulated to all Councillors with the Cabinet Agenda.

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Further information on the subject of this report can be obtained from Stuart Figini (Committee Officer), Direct Dial Telephone Number 01793 463612, [sfigini@swindon.gov.uk](mailto:sfigini@swindon.gov.uk)

# Consideration of Cabinet Panel Decisions

Scrutiny Committee

Date: 28<sup>th</sup> March 2017

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## Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been fully taken into account in compiling this report. It is considered that the recommendations of this report are compatible with convention rights.

## All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 None

## Links to One Swindon, Plans and Policies

- 5.4 There are no other direct implications arising as a result of this report. Any further implications will be identified when a topic is reviewed by the Scrutiny Committee and in any recommendations made by the Scrutiny Committee.

## Diversity Impact Assessment

- 5.5 No Diversity Impact Assessment is required at this stage, any DIA that is required during review of topics included within the work programme will be identified at the appropriate stage.

## Risk Management

- 5.6 No risk management issues have been identified at this stage, any risk management issues will be identified at the appropriate time when a topic is under review by the Scrutiny Committee and if it makes any recommendations

## **6. Consultees**

- 6.1 The Board Director Finance, Revenues, Benefits and Property (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

## **7. Background Papers**

- 7.1 Cabinet Panel on School Organisation for the meeting held on 27<sup>th</sup> March 2017.

## **8. Appendices**

- 8.1 The draft minutes of the meeting of the Cabinet Panel on school Organisation held on 27<sup>th</sup> March 2017 (to follow).