

# Overview & Scrutiny Management Board

2<sup>nd</sup> November 2020

Public Forum



## Written response to Public Forum Questions on 2<sup>nd</sup> November 2020.

### Questions

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## **Public Forum Questions**

### **Question 1: Cllr. Anthony Negus**

This, one of the few public meetings of our key scrutiny committee, has a thin agenda with just one substantive item.

This is not through any failing of members or support officers.

For some time, due to a dysfunctional Forward Plan process that has been the subject of previous complaints, the Overview & Scrutiny Management Board (OSMB) has been obliged to meet the day before Cabinet in order to work within the time available after the issuing of the relevant reports, for assessing and discussing them and making comments to Cabinet. Recently it has not even been possible to produce a meaningful public agenda for OSMB meetings because of the apparent inability to fix the Cabinet agenda in time for OSMB to plan ahead. Instead OSMB has had to adopt the cover-all standing item of 'Mayors Forward Plan' (MFP) with the increased difficulty of arranging officers to attend. Despite special probing this month this is still the case after the LGA visiting panel identified failings in this process. Although the effectiveness of the Democratic Services team has improved, this fundamental problem is worsening.

This is dysfunctional and insults the accepted protocols that underpin the democratic process. It is therefore unacceptable to me and no doubt fellow councillors for this council to continue in this way.

In a reply to a similar previous complaint, partly repeated at an OSMB Leads meeting it was said that, in effect, the administration was not breaking any rules but would endeavour to improve the situation, particularly regarding timely inclusion of items on the MFP.

Despite that, again the MFP contains new items, undated items and some items being taken off the meeting scheduled in the MFP with no consideration of other processes apart from getting items through Cabinet.

Whilst the Administration's business is being done, however disjointedly, the democratic and value-adding process of scrutiny cannot be delivered by councillors who are being shackled and silenced. Much more importantly decisions cannot be seen to be questioned, challenged or enhanced by our tax-paying citizens, whom we all represent and serve.

Question:

I believe that the Chair and OSMB members, at least, are entitled to a clear and binding statement of how the administration will reconsider its responsibilities and reset its procedures to ensure that scrutiny in this council is allowed to function properly. May I have the assurance of the mayor or the Chief Executive that this statement will be available in time to be considered at the next public meeting of the Overview & Scrutiny Management Board?

Answer:

Local authorities are required to publish a Forward Plan of any key decisions that are due to be considered by Cabinet members 28 days in advance of a Cabinet. We are meeting this requirement

and in line with LGA's recommendations we have regularly published a Forward Plan of key decision items for the next 6 months and beyond.

The Forward Plan is a 'living' document and it is regularly updated to reflect the business needs of the Council. The Head of the Executive Office is undertaking a general review of the Forward Plan so that it provides a clear indication of items due to be considered by Cabinet between now and May 2021. We expect to make further updates to the Forward Plan in December.

Changes to the Forward Plan will happen from time to time as we respond to emerging risks and opportunities. Items can be delayed if they require further development or if they have been subject to a change in circumstances, while other items may be published on the Forward Plan at relatively short notice as we respond to the urgent need of the business and/or the City. This is done in accordance with the Council's Constitution using both APR15 and APR16 arrangements as appropriate.

With regards to providing scrutiny members with material in advance of an item being considered by Cabinet, such requests are considered on a case by case basis. To support scrutiny members with any enquires they may have regarding a key decision item, we do publish the names of the officers responsible for taking an item to Cabinet on our website and Democratic Services also provides the details of which Scrutiny Commission's remit the item falls under on the published Forward Plan and we would encourage members to speak to named officers as this is rarely done at present.

We have made progress in development of the Forward Plan since the LGA Peer Review in 2018. The Forward Plan now provides a clear 6 month overview of items due to be considered by Cabinet beyond the 28 day requirement and it is regularly updated to include items that are likely to be considered by Cabinet between now and May 2021. We will keep this document under constant review. The Head of Executive Office and the Council's Statutory Scrutiny Officer will continue to work with the Chair of OSMB and OSMB leaders going forward and will continue to promote the Council's forward planning arrangements within the organisation.

## **Question 2: Councillor Anthony Negus**

The city's 70 councillors are elected to represent their constituents in the area where they live and across the city. Yet councillors are not adequately kept informed and are denied access not only to documents and to meetings of which they are aware but also, as I learn, to other ongoing pieces of work of which there is no public or accountable record.

Will the Chief Executive please make available, for information, a list of the restricted and unrestricted substantive areas of work that are being developed, away from the beneficial contribution of Council overview, by selected groups through the One-City process and elsewhere?

### **Answer:**

The Council's scrutiny work programme is set annually by OSMB leads in consultation with Executive Directors and Cabinet members, where areas of work are discussed and considered. In addition to this OSMB leads can contact Executive Directors to discuss areas of work throughout the year. Executive

Directors regularly update OSMB leads on any new areas of work as well as emerging issues. These are constructive conversations, which help inform scrutiny work programme throughout the year.

With regards to the City Office, the council is properly represented on all city-wide Boards and agendas and minutes are published online. It is unclear from your question what specific documents or projects you believe councillors have been denied access to. OSMB members have received regularly scheduled updates on the One City initiative as agreed with OSMB Leads. These have included:

- \* Details of the progress made in 2019 under the One City initiative
- \* An update on the 2020 One City Plan and the 2020 priorities
- \* The work programme and resourcing arrangements for the City Office

The One City Plan itself is a public document setting out clearly proposed work, and where city-wide strategies are co-produced these have appropriate input from council officers and oversight by elected members on the Boards. The strategies are well publicised and publically available. The publication of city-wide ambitions in strategies do not bind the council and any substantive work areas or projects therein which require key decisions or are wholly-owned by the council will be subject to normal scrutiny and decision-making arrangements in keeping with the council's constitution.

We will continue to ensure OSMB receive updates regarding the One City initiative when requested.