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| <b>TITLE</b>                | <b>Scrutiny of the Climate Emergency Action Plan</b>           |
| <b>FOR CONSIDERATION BY</b> | Overview and Scrutiny Management Committee on 19 February 2020 |
| <b>WARD</b>                 | None Specific  |
| <b>DIRECTOR</b>             | Andrew Moulton, Assistant Director, Governance                 |

## **OUTCOME / BENEFITS TO THE COMMUNITY**

Developing an efficient and effective Overview and Scrutiny function which can hold the Executive to account and ensure that residents' concerns and priorities are addressed.

Climate Emergency will be a major issue for residents for the foreseeable future. Effective Scrutiny of the Council's plans will help to ensure that residents' priorities and concerns are addressed.

## **RECOMMENDATION**

That the Committee:

- 1) consider the options set out in the report to deliver effective Scrutiny of the Council's Climate Emergency Action Plan;
- 2) determine which option/s, if any, to pursue;
- 3) agree to review the Overview and Scrutiny workload situation again during the 2020/21 Municipal Year.

## **SUMMARY OF REPORT**

At its meeting on 22 January 2020, the Committee considered the initial Climate Emergency Action Plan. Due to the ongoing significance and public interest in Climate Emergency, the Committee requested a further report on the following terms:

"A report be submitted to the next meeting of the Committee, setting out options for effective Scrutiny of the Climate Emergency Action Plan, one option being the establishment of a separate Climate Emergency Overview and Scrutiny Committee".

The report gives details of the various options available to deliver effective Scrutiny of the Climate Emergency Action Plan.

The report also reminds Members of the Committee's consideration of a similar issue (September/October 2019) relating to possible measures to address the Overview and Scrutiny workload.

## **Background**

At its meeting on 22 January 2020, the Committee considered the Council's initial Climate Emergency Action Plan. Due to the ongoing significance and public interest in Climate Emergency, the Committee requested a further report on the following terms:

“A report be submitted to the next meeting of the Committee, setting out options for effective Scrutiny of the Climate Emergency Action Plan, one option being the establishment of a separate Climate Emergency Overview and Scrutiny Committee”.

Climate Emergency will be a key issue for the Council for years to come. It will also be an issue of significant interest for residents, Town and Parish Councils, community groups, schools and businesses. It is important, therefore, that the Overview and Scrutiny Committees have the capacity to carry out the necessary detailed scrutiny whilst maintaining their focus on other key issues affecting the Borough.

Members will recall that, at its meetings in July and September 2019 the Committee considered reports which set out options for managing the increasing Overview and Scrutiny workload. The reports stated that the current Overview and Scrutiny Committee structure of an overarching Overview and Scrutiny Management Committee and three Overview and Scrutiny Committees, (Children's Services, Community and Corporate Services and Health) had been agreed by the Council in July 2015.

Between 2013 and 2015 the Scrutiny structure had comprised the Overview and Scrutiny Management Committee and four Overview and Scrutiny Committees: Children's Services, Community Partnerships, Corporate Services and Health. In 2015, the remit of the Community Partnerships and Corporate Services Committees was merged into one.

Since then, a number of major Scrutiny issues had arisen which put the existing structure under pressure. These included the detailed Scrutiny review of the Council's Budget, the implications of a potential Climate Emergency declaration which will impact on every public service across the Borough and the establishment of Task and Finish Groups (e.g. Grounds Maintenance and Adoption of Estate Infrastructure).

The Overview and Scrutiny Management Committee is able, under its Terms of Reference, to propose amendments to the composition and Terms of Reference of Overview and Scrutiny Committees to the Council on the basis of political proportionality, (Para 6.1.4(a) of the Council's Constitution. Any proposed changes would be considered by the Constitution Review Working Group before submission to Council.

The Centre for Public Scrutiny (CfPS) has issued a note on issues relating to Scrutiny engagement with Climate Emergency. This note is attached to the report. The CfPS will be issuing more detailed guidance for Councils on Scrutiny of Climate Emergency in March 2020.

## **Options**

At the meeting in September 2019, the Committee discussed a number of options for addressing the workload issues. The Options are set out below with additional commentary relating to the Scrutiny of Climate Emergency.

**Option 1** – establish an additional Overview and Scrutiny Committee. This would enable detailed Scrutiny of a wide range of issues included in the Climate Emergency Action Plan. It would also enable actions such as co-opting outside experts and community representatives to assist the Committee’s deliberations.

**Option 2** – maintain the current Overview and Scrutiny structure and set up more time-limited Task and Finish Groups to tackle specific Climate Emergency issues. As an example, Task and Finish Groups could be set up to review issues such as traffic congestion and air quality.

**Option 3** – maintain the current Overview and Scrutiny structure and rigorously review the work programmes to ensure that the Committees focus on a smaller number of key priorities such as Climate Emergency. As the Management Committee meets nine times each year, it could be possible to focus solely on Climate Emergency at one or more meetings, for example in June, prior to the Annual Climate Emergency Update to Council and November

**Option 4** – linked to Option 3, maintain the current Overview and Scrutiny structure and hold additional meetings. As an example, the Community and Corporate Overview and Scrutiny Committee has set up a number of extraordinary meetings to facilitate scrutiny of the Council’s Budget process.

**Option 5** – amend the terms of reference of one or more of the Overview and Scrutiny Committees in order to achieve a more reasonable, balanced workload for each Committee. For example, the Health Overview and Scrutiny Committee could review health-related issues such as air quality whilst the Children’s Overview and Scrutiny Committee could scrutinise the involvement of schools in the Action Plan.

### **Analysis of Issues**

Establishing another Overview and Scrutiny Committee would require additional resourcing in terms of additional evening meetings, research, report writing, Member and Officer attendance, etc. As Climate Emergency is such a wide ranging issue, the additional resources required could be significant.

Members will also recall the discussion relating to the Government’s Statutory Guidance on Overview and Scrutiny in relation to resourcing. The guidance stated that: “ultimately it is up to each authority to decide on the resource it provides, but every authority should recognise that creating and sustaining an effective Scrutiny function requires them to allocate resources to it”.

Other implications relating to setting up another Committee include:

- further work on adjusting the political balance arrangements across all Committees – because of the complexity of undertaking this task any proposed change should wait until the start of the 2020/21 Municipal Year;
- reference to the Constitution Review Working Group in relation to updating the Council’s Constitution re the new Committee’s terms of reference, etc.;
- additional costs relating to the Chairman’s annual Special Responsibility Allowance (£2.5k) and the costs of arranging and servicing additional meetings.

Currently, support to the Overview and Scrutiny Committees is delivered through the Democratic Services team alongside the support it provides to the Council, Executive and a wide range of other Committees and bodies. The team also manages a wide range of appeal hearings on behalf of the Council and is heavily involved in work relating to local and national elections. The creation of an additional Committee and/or additional meetings will create further pressure on the team to deliver high quality support to the Overview and Scrutiny function within existing resources.

#### **FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

|                                   | How much will it Cost/ (Save) | Is there sufficient funding – if not quantify the Shortfall | Revenue or Capital? |
|-----------------------------------|-------------------------------|---|---------------------|
| Current Financial Year (Year 1)   | 0                             | N/A   | Revenue             |
| Next Financial Year (Year 2)      | £2,500                        | No  | Revenue             |
| Following Financial Year (Year 3) | £2,500                        | No  | Revenue             |

#### **Other financial information relevant to the Recommendation/Decision**

The Chairmen of the Overview and Scrutiny Committees receive a Special Responsibility Allowance of £2,500 per annum. There would also be additional costs in printing Agenda, Member expenses, staffing, etc.

#### **Reasons for considering the report in Part 2**

None

#### **List of Background Papers**

Council Constitution - Section 6

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| <b>Date</b> 10 February 2020      | <b>Version No.</b> 1                             |