
ENVIRONMENTAL SCRUTINY COMMITTEE – WORK PROGRAMME
REVIEW 2022/23

Purpose of Report

1. To enable Members of the Committee to agree and approve their Work Programme for 2022/23.

Background

2. The Council's Constitution states that each Scrutiny Committee will set their own work programme. This is traditionally undertaken at the beginning of a municipal year and updated as the work progresses. As with other years, the work programme needs to be carefully constructed so that the time available to the Committee is used most effectively in order to maximise the impact of Scrutiny.
3. The Environmental Scrutiny Committee's Terms of Reference provide the Committee with the responsibility for the scrutiny of a number of specific service areas. A copy of the terms of reference has been attached to this document as **Appendix A**.
4. Scrutiny plays an essential role in promoting accountability, efficiency and effectiveness in the Council's decision-making process and the way in which it delivers services. The main roles of the Scrutiny Committees are:
 - i. Holding to account the Cabinet and officers, as decision-makers.
 - ii. Being a '*critical friend*', questioning how decisions have been made, providing a '*check and balance*' to decision makers and undertaking reviews of services and policy.
 - iii. Providing a voice for citizens.

5. The construction of a work programme involves obtaining information from a range of sources, these may include:
 - Information from the relevant Directorates;
 - Relevant extracts from relevant corporate documents - including Cabinet Forward Plan, Capital Ambition, Corporate Plan, Recovery & Renewal Plans, Directorate Delivery Plans, budgetary information, performance information, risk register and audit reports.
 - Forthcoming UK and Welsh Government legislation and policy changes
 - Suggestions and ideas put forward by the Environmental Scrutiny Committee;
 - Member suggestions and observations;
 - Citizen and third party comments and observations;
 - Performance information.

6. Wales Audit Office, in their follow-up review of Delivering with Less – Environmental Health Services made the following proposal for improvement:
 - The Council should strengthen elected member oversight of its environmental health services, for example, through more regular scrutiny of services provided by third parties including the SRS.

7. While the Committee has discussed the Shared Regulatory Service Business Plan 2022/23, more work could be undertaken by a short scrutiny or an inquiry to understand the potential impact of budget cuts from three local authorities to the services delivered in Cardiff and the performance of these services.

Identification of Potential Items

8. At the July 2022 Committee meeting, Members agreed a number of scrutiny priorities for the remainder of the 2022/23 municipal year and asked the Chair and Principal Scrutiny Officer to create a draft work programme for discussion and potential approval at the September meeting. A copy of the draft work programme detailing the period September 2022 to March 2023 is attached to this report at **Appendix B**.

9. Each item proposed for scrutiny in **Appendix B** is supported by a suggested date; a title and description of the report; a list of invitees and consultees and

reference to the format and type of scrutiny to be undertaken. An explanation of the various forms of scrutiny that can be carried delivered are set out below:

- **Policy Development & Review** – Where the Committee contributes to the Council's policy development processes by considering draft policy documents or existing policies.
- **Inquiries** – Where the Committee undertakes an examination of a topic over a period of time, via a task & finish group, resulting in a formal report to the Cabinet. These can be short inquiries, such as deep dives, or longer inquiries, as required.
- **Short Scrutiny Studies** – Where the Committee examines a particular service or issue over one or two committee meetings. Frequently such scrutiny activity results in a letter being sent to the relevant Cabinet Member with recommendations or comments.
- **Pre Decision** – Where the Committee evaluates and comments on proposals before they go to the Cabinet, giving the Cabinet the opportunity to reflect upon Scrutiny views prior to making their decision.
- **Monitoring Performance & Progress** – Where the Committee undertakes monitoring of the Council's performance and progress in implementing actions previously agreed.

10. When developing a scrutiny work programme it is important prioritise where work resources are allocated. This means that items should be prioritised to ensure quality over quantity, achievability, deliverability and impact. In following this approach items should:

- **Focus** – Be based on issues that impact on Cardiff citizens.
- **Add Value** – Where possible enhance the work of the Council in delivering services to our citizens.
- **Involve** - Involve partners, stakeholders and the public in scrutiny process.
- **Demonstrate Flexibility** – The work programme should be reviewed regularly to reflect changing priorities.
- **Agreed by Committee** – Work programme items should be agreed by the whole Committee working as a team.

- **Thematic** – The Committee should consider wider issues rather than only focusing on Council services.
- **Balance** – The work programme should be balanced and include items from across the terms of reference.
- **Team work** – In delivering the work programme councillors should leave party politics at the door, work as a team and focus on wider issues that impact on all Cardiff citizens.

11. In setting their work programme, Members have been mindful of Audit Wales advice for scrutiny committees to aim to achieve committee meetings within reasonable timeframes, whilst maintaining robust and appropriate levels of scrutiny across the terms of reference. Key to this is ensuring agendas are of a manageable size, work occurs outside of committee meetings and Members are provided the option to adjourn a committee meeting if more time is required than originally anticipated.

12. This timeframe takes on added significance with meetings held remotely, given advice to keep remote meetings as short as possible. Scrutiny Chairs have discussed the length of meetings and decided to aim to keep meetings to 2.5 hours, where possible.

Forward Work Plan September – December 2022

13. As part of the Council's response to the Wales Audit Office report '*Overview and Scrutiny - Fit for the Future?*' (July 2018), the Head of Democratic Services has introduced publication of the Committee's "Forward Work Programme" (FWP) on the Council's internet site.

Way Forward

14. Members are invited to consider whether any further amendments are required to the draft work programme attached at **Appendix B** and subsequently agree the Environmental Scrutiny Committee Work Programme for 2022/23. Members are reminded of the need to retain some flexibility in the work programme to enable new items to be added during the year as necessary.

Legal Implications

15. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

16. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to:

- i. Consider the contents of this report and its Appendices;
- ii. Consider and agree any amendments to the draft work programme; and
- iii. Consider the inclusion of scrutiny of the Shared Regulatory Services as recommended by Wales Audit Office

DAVINA FIORE

Director of Governance & Legal Services

20 September 2022