

BROMSGROVE DISTRICT COUNCIL

Overview & Scrutiny Board

2nd December 2019

Government Review – Overview and Scrutiny Guidance Report

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| Relevant Portfolio Holder | Cllr G Denaro |
| Portfolio Holder Consulted | Yes |
| Relevant Head of Service | Claire Felton, Head of Legal, Equalities and Democratic Services |
| Ward(s) Affected | All |
| Ward Councillor(s) Consulted | N/A |
| Non-Key Decision | |

1. SUMMARY OF PROPOSALS

- 1.1 This report sets out the key points arising from the new Overview and Scrutiny Guidance published by the Ministry of Housing, Communities and Local Government in May 2019.
- 1.2 Members initially considered this report in June 2019, but agreed at that time to defer considering the guidance and to determine whether any changes to the current scrutiny procedures are necessary until the current Board membership had been in place for 6 months.

2. RECOMMENDATIONS

- 2.1 Members are asked to note the attached summary of the guidance and if appropriate make any necessary recommendations.

3. KEY ISSUES

Financial Implications

- 3.1 There are no direct financial implications in respect of this report

Legal Implications

- 3.2 This statutory guidance has been issued under Section 9Q of the Local Government Act 2000 and under paragraph 2 (9) of schedule 5A to the Local Democracy, Economic Development and Construction Act 2009, which requires authorities to have regard to this Guidance.
- 3.3 The Statutory Overview and Security Guidance, whilst it sets out some of the key legal requirements of the process it does not seek to replicate legislation. Local Authorities are required to give due regard to the proposals which means that the Council must demonstrate it has considered the guidance and where appropriate implemented changes at a local level.

- 3.4 The Guidance does recognise the need for flexibility to ensure that Overview and Scrutiny arrangements in place at a Council meet the needs of that local authority.

Service / Operational Implications

- 3.5 The Overview and Scrutiny Board is invited to consider a report in respect of the guidance as it has clear implications in the ways in which Scrutiny operates at the Council.
- 3.6 It should be noted that many of the key principles of Overview and Scrutiny set out in the Guidance are already complied with in Bromsgrove. However, there are a small number of proposals that do require further consideration as these are not currently in place.

Customer / Equalities and Diversity Implications

- 3.7 There are no customer/equalities and diversity implications in relation to this report.

4. RISK MANAGEMENT

There is a risk that if the Overview and Scrutiny Board does not consider this Guidance and whether to amend its practices in response, that the Authority will not be demonstrating that it has given due regard to it.

5. APPENDICES

Appendix 1 - Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities.

Appendix 2 – Local Analysis of the Guidance.

6. BACKGROUND PAPERS

N/A

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