

SCRUTINY COMMITTEE WORK PROGRAMME – PLACE AND ENVIRONMENT

REPORT OF: DIRECTOR OF RESOURCES AND ORGANISATIONAL DEVELOPMENT
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Wards Affected: All
Key Decision: No
Report to: Scrutiny Committee for Place and Environment
18th October 2023

Purpose of Report

1. The purpose of the report is to set out the matters which the Scrutiny Committee for Place and Environment has agreed to scrutinise for the municipal year 2023-24 and beyond, noting these can be amended and refreshed as appropriate by the committee.

Recommendation

2. **The Committee is recommended to:**
 - i. **Confirm the work programme for the municipal year 2023/24 and beyond.**
 - ii. **Note the alternative approaches by which Scrutiny may receive information and consider matters.**
 - iii. **Note the process for Scrutiny Members requesting, via the Chairman, further topics to be considered by the committee.**

Background

3. Scrutiny committees are established under the Local Government Act 2000 to act as a “critical friend” to Cabinet. They act as part of the system of checks and balances on the exercise of the Council’s functions and can make recommendations to Cabinet and Council on policies and actions pursued (or proposed) by the authority.
4. In particular, scrutiny committees have the power to look into any matter which affects the District, and which is relevant to the work of the Council. Recent examples of this include the previous Council inviting the water companies to attend the scrutiny committee to discuss the water outages which affected the District during the Winter in 2022.
5. The committee has 4 scheduled meetings in the municipal year 2023/24 (16 meetings across the municipal cycle). The work themes for the Scrutiny Committee for Place and Environment are:
 - Plan-making (i.e., the District Plan and other matters forming part of the statutory Development Plan);
 - Burgess Hill Town Centre and Burgess Hill Growth Area;
 - Gatwick Airport
 - Clair Hall
 - Economy and Sustainability
 - Digital infrastructure
 - Leisure
 - Parking
 - Estates

- Parks and Open Spaces
- Building Control
- Development Management.

Work Programming

6. The committee sets its own work programme. The Constitution requires that in doing so it must take account of (but does not have to agree to):
 - The views of members of minority parties sitting on the committee
 - Requests from a member of the committee to consider a matter relevant to the functions of another committee upon which that member sits (for example a member of Licensing committee who is also a member of this committee could request that the committee considers a proposed licensing policy)
 - Requests from any member of the Council for the committee to consider a local government matter, subject to taking note of any guidance issued by the Secretary of State.
7. Certain matters are excluded from the work of scrutiny committees by law:
 - Crime and disorder
 - Planning decisions
 - Licensing decisions
 - Any matter where a right of review or appeal exists
 - Any matter which is vexatious, discriminatory, or unreasonable to include on an agenda.
8. Scrutiny activities do not necessarily need to take place in scrutiny committee, and, throughout the municipal cycle, there may be a need to convene working groups and “task and finish” groups drawn from the committee to look at specific matters in further detail. It is also valuable for members of the committee to be able to speak to each other outside of meetings and to prepare as much as possible in advance to get the most out of formal meetings. This should be borne in mind when setting the work programme for the formally scheduled meetings of the committee.
9. **Briefing notes:** The Committee may also make requests about topics for which the Scrutiny Committee requires further information. In this case, a briefing note will be recommended to the Committee as the most effective use of their and Officers’ time. This enables the Committee to receive information and consider whether there is a need for a Scrutiny review and if so to make recommendations to the Chair about what such a review may cover.
10. **Workshops:** There may be pieces of work for which a less formal meeting approach is more appropriate, or conversely significant pieces of work for which additional pre-work may be beneficial to fully enable the Scrutiny debate. In these instances, a workshop of the Scrutiny Committee is recommended as a way to enable members to receive further information and engage in discussion in advance of a matter being considered at a formal Scrutiny meeting (where this is appropriate).
11. **Formal requests:** It is proposed that having formed the annual programme, further requests for topics to be added should be suggested to the Chairman with clarity around the topics and the ambitions of any consideration by Scrutiny. Scrutiny request forms, which are available to help set out the basis for consideration, are available from Democratic Services or the Chief Executive’s Office and also as appendix A to this report.

12. Under the Council's constitution, matters forming part of the adopted "policy framework" (which, of most relevance for this committee will include the District Plan) must be notified to the Chairman of the committee, giving at least 6 weeks' notice before Cabinet proposes that policy to the Council for adoption, to enable the committee to consider the matter if it so wishes. As a matter of good practice, it is suggested that the District Plan be included in the work programme for the committee.
13. The forward plan sets out the programme under which Cabinet proposes to make Key Decisions – decisions likely to have a "significant" effect in the District and this can be useful to inform the work programme of this committee. Additionally, officers will suggest potential significant projects which may benefit from scrutiny input.
14. On 14th June 2023, Management Team met with the Chairmen and Vice-Chairmen of both of the scrutiny committees along with Cabinet to informally discuss forthcoming matters which might benefit from scrutiny input. All parties understood the importance of working collaboratively, with an expectation that Cabinet members would ordinarily be in attendance at committee meetings in order to account (in particular) for proposed policy/ strategy direction and listen to the committee's views.
15. In setting the committee's programme, it was noted that because of the need to prioritise key matters for the committee, the committee might want to consider looking beyond this municipal year and further into the municipal cycle when considering setting the programme.
16. Cabinet members expressed a desire to ensure that the scrutiny committees do take account of the wishes of minority party members and also suggested a number of topics that they wished the committee to consider within the work programme. These were: Clair Hall, Sustainable Economic Strategy 1-year review and the Parks Masterplan
17. To accommodate external partners, it is suggested that these issues are programmed later in the programme so that officers can work with those external partners to secure their involvement. In addition, for meetings where the committee is looking at the work of external partners, it is suggested that these should be single-item agendas.
18. With all of these points in mind, officers have compiled a list of matters which this committee may wish to consider including in its work programme. In considering this list, members are asked to consider what information they are likely to need to effectively consider the matters in question and the likely attendances (from officers and/ or Cabinet members) they are likely to require.

Item	Meeting Date
District Plan – Review of draft Regulation 19	22 nd November 2023
Leisure Strategy	8 th May 2024
Invite the Energy Companies/UKPN – to outline how they plan and deliver services to existing and new homes.	TBC
Clair Hall	TBC

Financial Implications

19. The committee can utilise resources such as expert witnesses to inform its work where this is considered necessary and, in this case, there will be a cost to bringing in that external expertise.

Other Material Implications

20. In setting its work programme the committee should consider the general resource implication for the authority of facilitating an effective discussion. Where possible the committee should try to give advance indication of likely avenues of discussion or questions for officers or cabinet members to enable a properly informed discussion to take place. The resource needs of the committee must be balanced against the general operational needs of the Council, its resources, and the ability of its officers to carry out their tasks in supporting the operation of the authority as a whole.

Risk Implications

21. The work programme of the committee does not carry an inherent risk, but if the committee is unable to agree upon a programme there is a risk that it will not be able to function as effectively as it could because appropriate preparatory work would not be able to be carried out in a focussed and programmed fashion.

Sustainability Implications

22. None.

Equalities and Customer Service Implications

23. None.

Appendices

Appendix A – Scrutiny Review Topic Request Form

Background Papers

None