Herefordshire Council

MEETING:	CABINET
DATE:	5 APRIL 2012
TITLE OF REPORT:	REVIEW OF THE FORWARD PLAN
PORTFOLIO AREA:	CORPORATE STRATEGY AND FINANCE

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To review the Forward Plan and consider whether any matters should be referred to the Overview and Scrutiny Committee.

Key Decision

This is not a Key Decision.

Recommendation(s)

THAT: Cabinet reviews the Forward Plan and gives a view as to whether any matters should be referred to the Overview and Scrutiny Committee.

Alternative Options

1 None. The Constitution requires that Cabinet reviews the Forward Plan.

Reasons for Recommendations

2 To comply with the requirement in the Constitution that Cabinet reviews the Forward Plan and consideration is given to whether any matters should be referred to the Overview and Scrutiny Committee.

Introduction and Background

3 Regulations require the Leader of the Council to produce a rolling Forward Plan containing details of all the matters likely to be the subject of key decisions in the relevant authority for a period of 4 months. The Forward Plan is to be updated on a monthly basis and a new Forward Plan is required to be produced at least 14 days prior to the Plan coming into effect.

4 The provision at section 3.3.5.1 of the Constitution, in accordance with Regulations and as amended following Council 18 November 2011, defines:

a Key Decision shall only be taken by the Cabinet or Cabinet Member and is:-

a *Any decision in relation to an Executive function which results in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.*

b *Any other Executive decision which in the opinion of the Monitoring Officer is likely to be significant in terms of its effect on:*
- *Two or more wards or electoral divisions*
- *One ward (unless the number of those affected is very small or it is impractical to treat this as a Key Decision)*

And having regard to:

- *The strategic nature of the decision*
- *Whether the outcome will have an impact, for a better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality affected.*

5 Sections 3.3.5.2 and 3.3.5.3 of the Constitution explain factors to be taken into account in determining whether something is a key decision.

6 Paragraph 4.4.12.2 of the Constitution states that *"The Forward Plan must be reviewed regularly at meetings of the Cabinet and the Chairman of the Overview and Scrutiny Committee will be asked to indicate those matters that in his/her view should be referred to the Overview and Scrutiny Committee. The Leader will determine which matters should be referred taking into account the views of the Chairman of the Overview and Scrutiny Committee. Referred matters will be subject to a report to the Overview and Scrutiny Committee prior to the decision being taken at Cabinet. The views of the Overview and Scrutiny Committee will be reported to the Cabinet before the decision is taken*."

7 It is intended that quarterly reports will be made to Cabinet on the Forward Plan in accordance with this provision. A copy of the current published Forward Plan dated 1 April to 31 July 2012 is appended.

8 Whilst the constitutional requirement is specifically in relation to Key Decisions contained in the Forward Plan, given the Executive's wish to maximise the value that Overview & Scrutiny can add to policy development, and in the interests of good governance, a broader Cabinet work programme is being developed and will be used to inform future quarterly reports to Cabinet on this issue.

Community Impact

9 The Forward Pan sets out key decisions which are significant having regard to the relevant budget or are significant in terms of their effect on communities.

Financial Implications

10 The cost of the scrutiny of any issues arising from the Forward Plan will have to be met from within existing budgets.

Legal Implications

11 The Council is required to produce a Forward Plan by the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended). The Constitution requires Cabinet to consider the Forward Plan.

Risk Management

12 There is a reputational risk if the content of the Forward Plan is unsatisfactory.

Consultees

13 None on this report.

Appendices

14 Current Forward Plan 1 April – 31 July 2012

Background Papers

- None.