

MEETING:	CABINET
DATE:	28 JULY 2011
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, defines a Key Decision as *a decision*:-

Further information on the subject of this report is available from
Tim Brown, Democratic Services, on (01432) 260239

- a taken by the Cabinet or an individual Cabinet Member,
- b in connection with the discharge of a Cabinet Function and which is determined as such by the Leader and is likely:
 - i to result 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 to which the decision relates; or
 - ii to be significant in terms of its effects on communities living or working in an area comprising one or more wards in the County.

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 (as amended in the light of Council's decisions on 27 May and 15 July following the adoption of a new scrutiny model) 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 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 is appended.

8 Cabinet is reminded that on 11 July 2011, in considering the call-in of the Cabinet Member decision on the Herefordshire Music Service, the Overview and Scrutiny Committee resolved that Cabinet be asked to review the Forward Plan process, particularly in respect of the consultation arrangements.

9 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

10 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

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

Legal Implications

12 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

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

Consultees

14 None on this report.

Appendices

15 Current Forward Plan – 1 August – 30 November 2011.

Background Papers

- None