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AGENDA

This meeting will be webcast live and the video archive published on our website

Overview and Scrutiny Committee
Tuesday, 24th June, 2025 at 6.30 pm
Council Chamber - The Guildhall

Members:

- Councillor Paul Howitt-Cowan (Chairman)
- Councillor Jacob Flear (Vice-Chairman)
- Councillor Moira Westley (Vice-Chairman)
- Councillor Emma Bailey
- Councillor John Barrett
- Councillor Trevor Bridgwood
- Councillor Frazer Brown
- Councillor Karen Carless
- Councillor Liz Clews
- Councillor Peter Morris
- Councillor Lynda Mullally
- Councillor Maureen Palmer
- Councillor Roger Pilgrim

1. **Public Reports**

- i) Overview & Scrutiny Committee - Operating (PAGES 3 - 19)
Methodology

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Monday, 23 June 2025

Agenda Item 6a



Overview and Scrutiny Committee
Tuesday, 24 June 2025

Subject: Overview & Scrutiny Committee - Operating Methodology

Report by:	Director of Change Management, ICT & Regulatory Services
Contact Officer:	Ele Snow Senior Democratic and Civic Officer Ele.Snow@west-lindsey.gov.uk
Purpose / Summary:	To consider and approve the Operating Methodology for the Overview and Scrutiny Committee, Civic Year 2025 / 2026

RECOMMENDATION(S):

1. That Members of the Committee approve the Operating Methodology for implementation throughout the 2025/26 Civic Year

IMPLICATIONS

Legal: The Constitution of the Council states that the Overview and Scrutiny Committee will undertake a review of its Operating Methodology each year (Part IV, Responsibility for Functions, page 16, paragraph 1)

Financial: There are no financial implications arising from this report.

Staffing: The Overview and Scrutiny Committee is supported by existing resources within the Democratic Services team, there are no additional staffing implications arising from this report.

Equality and Diversity including Human Rights: The work of the Overview and Scrutiny Committee seeks to benefit all those residing, working or visiting in West Lindsey. Where additional needs are highlighted, for example access to public meetings, these are addressed as necessary.

Data Protection Implications: There are no data protection implications arising from this report, however, where there may be discussion items which involve the likely disclosure of personal or private information, the Committee will resolve to exclude public and press from such items.

Climate Related Risks and Opportunities: Whilst there are no related risks arising from this report, consideration must be given to opportunities for climate related improvements. Consideration may be given to, for example, the number of meetings, the requirement for Members to travel, and ensuring that there is sufficient business to necessitate meetings to take place.

Section 17 Crime and Disorder Considerations: There are no relevant considerations arising from this report, however the Committee does receive at least annual reports under section 19 of the Police and Justice Act 2006.

Health Implications: There are no health implications arising from this report, although it is noted that aspects of the work of the Overview and Scrutiny Committee aim to support the work of the Council in improving health and wellbeing provision across the district.

Title and Location of any Background Papers used in the preparation of this report:

Risk Assessment: N/A

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

X

1 Introduction

- 1.1 The Operating Methodology for the Overview and Scrutiny Committee sets out the criteria for fulfilling the main functions of the Committee. The methodology was introduced in 2014, with an updated version reviewed and agreed by the Committee in 2019. It is reviewed annually with any amendments considered in line with each annual review of the Constitution.
- 1.2 This approach has worked well and allowed the Committee to structure the work streams, according to the criteria in the methodology, throughout each year.
- 1.3 The Operating Methodology as approved by the Committee in July 2024 is attached for review at Appendix 1.

2 Committee Functions and Fulfilling the Scrutiny Role

- 2.1 The functions of the Overview and Scrutiny Committee are detailed in Part IV of the Constitution, attached as Appendix 2.
- 2.2 The Overview and Scrutiny Procedure Rules are given in Part V of the Constitution (attached as Appendix 3) and detail how the Committee should exercise its rights under the traditional call-in process.
- 2.3 These functions and procedure rules are considered annually as a part of the Constitution Review presented for approval at Annual Council.
- 2.4 Any amendments are then factored into the review and the Operating Methodology.

3 Review of Existing Operating Methodology

- 3.1 The current version of the Operating Methodology has been in place since July 2023 and was considered by the Committee at their meeting in April 2024 as a part of the Overview and Scrutiny Annual Report.
- 3.2 Following that review, and the annual review of the Constitution, there were no suggested amendments.
- 3.3 Once approved, the Operating Methodology will be used as a reference point when considering items for the Committee's work plan for the coming civic year.

4 Conclusion and Recommendation

- 4.1 Members are asked to approve the Operating Methodology for 2025/26.

Overview and Scrutiny Operating Methodology

Functions covered within this document:

1. Performance management (for service areas presenting performance figures below target)
2. Pre-decision scrutiny (also known as pre-scrutiny and identified from the Forward Plan)
3. Ongoing project work (for example as requested or identified by a policy committee or Council)

1. Performance Management

The Committee can request a Service Performance Review (to identify reasons for off-track performance and ways to improve) when:

- The performance has been off track for at least two consecutive reporting periods
- Recommendations from the relevant committee have been implemented and allowed time to have an impact
- At least four committee Members wish to request the review

The following restrictions apply:

- A maximum of four such reviews can be requested in any municipal year
- Any service area subject to such a review is excluded from re-examination under any process for the subsequent six month period (ie, further two reporting periods)

Process for a Service Performance Review:

- The request is to be made in writing, signed by at least four committee Members, set out the reasons for the request and be submitted to the O&S Clerk at least 21 days prior to the next committee meeting.
- The request will be considered at the next meeting and, if agreed, terms of reference for the review group should be set.
- Alternatively, where a request for a Service Performance Review is identified during a Committee meeting, and is supported by at least four Members of Committee, this will replace the request in writing.
- The Chairman (or representative) of the relevant policy committee is to be invited to the meeting where the scope of the review is considered.
- The findings of the review will be heard by the O&S Committee and presented to the relevant policy committee, where the Chairman (or representative) of O&S shall also attend.
- If the policy committee does not wish to accept the recommendations of the review group, the decision shall be referred to Council.

2. Pre-Decision Scrutiny

The Committee can identify items for pre-decision scrutiny (also known as pre-scrutiny) from those detailed on the Forward Plan. These could be items which are politically sensitive or of high public interest and where the Committee considers it would be of benefit to scrutinise the proposed decisions in advance.

These items can be selected from the Forward Plan during meetings of the Committee by a proposer, seconder and majority vote.

The following restrictions apply:

- A maximum of four 'pre-scrutiny' items can be identified per municipal year.
- The Committee cannot dictate the timeline or prevent the decision being submitted to the relevant policy committee within the pre-agreed timescales.
- Any decision considered under pre-scrutiny cannot then be called-in under the traditional process.
- Any item considered under pre-scrutiny is excluded from re-examination under any process for the subsequent six month period.
- NB: The policy committee is not strictly bound by recommendations from O&S however it is expected that they should be given due consideration.

Process for Pre-Decision Scrutiny:

- The O&S Committee will receive the exact report due to be presented at the policy committee, at least 1 cycle prior to the policy meeting.
- The O&S Committee will make recommendations to the policy committee where it feels there are areas to be further addressed in order to support the proposed decision.
- The Officer responsible for the report will work with the Chairman / representatives of O&S to revise the report accordingly (when necessary).
- The amended report, along with the minute from the O&S meeting and the original report, will be submitted to the policy committee within the original timescale.

3. Ongoing Project Work

The O&S Committee can be requested by either of the policy committees, or Council, to conduct reviews of policy, services or any aspect of a service as identified by the relevant committee.

Any such request will be made to the Chairman of the O&S Committee from the Chairman (or representative) of the requesting committee / Council. The purpose, scope and terms of reference for the review will be agreed by the requesting committee and shared with the Chairman of O&S at the time of the request.

Such reviews will form part of the work plan for the O&S Committee, report timescales will be set out in the Forward Plan and recommendations will be agreed and shared with the referring committee.

Where the Committee chooses to conduct a review of policy or services that has not been referred by a policy committee, or does not fall under items 1 or 2 as detailed above, such reviews are limited to one review per civic year.

Updated Versions / Amendments to Operating Methodology*:

June 2019

May 2022

June 2023

*the Operating Methodology is reviewed annually by the Committee, however the above dates refer to amendments made.

Overview and Scrutiny Committee

1. To exercise the Council's responsibilities for overview and scrutiny and agree each year an operating methodology;
2. To conduct reviews of policy, services or aspects of service that have either been referred by a policy committee or the council, or have been chosen by the committee* according to the agreed criteria for selecting such reviews
3. To approve and keep under review an annual overview and scrutiny work programme, including the work programme of any scrutiny panels established in accordance with the Overview and Scrutiny Committee work programme;
4. To approve the scope, timetable and method for each review by a scrutiny panel to put in place and ensure that such reviews are monitored and managed efficiently and in accordance with the Overview and Scrutiny Procedure Rules;
5. To make reports and recommendations to the Council, a policy committee or any other Council committee arising from the exercise of these terms of reference;
6. To consider the Forward Plan and comment as appropriate to the relevant Committee on proposed decisions which relate to services within their remit (before they are taken by the appropriate policy committee);
7. To exercise the powers of call in and scrutiny in relation to policy committee decisions made but not implemented, as set out in section 21(3) of the Local Government Act 2000 and challenge such decisions in accordance with the procedure set out in the Overview and Scrutiny Procedure Rules in Part V of this Constitution;
8. To take an overview of the policies, forward plans of related authorities, of all public bodies and agencies as they affect the council's area or its inhabitants; and acting as the 'horizon scanning' Committee for the Council, bringing matters which will have effect to the attention of the relevant Policy Committee at the earliest opportunity so they can be considered as part of Policy Development;
9. To maintain under review the arrangements for the performance monitoring of Council services and to receive and consider any improvement plans arising from undertaking this function;

10. To discharge the statutory functions arising under section 19 of the Police and Justice Act 2006 relating to issues of crime and disorder and to develop and implement such procedures, protocols and criteria as deemed by the Committee to be appropriate.
11. This Committee has an operating methodology which is agreed annually at its first full meeting.

Overview and Scrutiny Procedure Rules

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Overview and Scrutiny Procedure Rules

1. Number and Arrangements for Overview and Scrutiny Committee

- 1.1 The Council will have one Overview and Scrutiny Committee.

‘Overview and Scrutiny Committee’

It will perform all overview and scrutiny functions on behalf of the Council and will be politically balanced.

- 1.2 The terms of reference of the Overview and Scrutiny Committee will be as detailed in Article 7 and Part IV of the Constitution.

2. Seats on Overview and Scrutiny Committee

- 2.1 All Councillors, with the exception of the Chairman, Leader of the Council, Deputy Leader of the Council, and Leader of the Opposition, may be members of the Overview and Scrutiny Committee. However, no member may be involved in scrutinising a decision in which he/she has been directly involved.

- 2.2 A member must if he/she is involved in the consideration of a matter at a meeting of the Overview and Scrutiny Committee of the Authority or a sub-committee of that Committee, regard himself/herself as having a personal and a prejudicial interest if that consideration relates to a decision made, or action taken, by another of the Council's –

- committees or sub-committees; or
- joint committees or joint sub-committees.

of which he/she may also be a member and took part in that decision making.

- 2.3 Sub-paragraph (2.2) above shall not apply if that member attends that meeting for the purpose of answering questions or otherwise giving evidence relating to that decision or action.

3. Co-optees

- 3.1 The Overview and Scrutiny Committee shall be entitled to appoint a number of people as non-voting co-optees.

4. Meetings of the Overview and Scrutiny Committee

- 4.1 Special meetings may be called from time to time as and when appropriate.

- 4.2 An Overview and Scrutiny Committee meeting may be called by the Chairman of the Committee, by a simple majority of members of the Committee or by the Proper Officer if he/she considers it necessary or appropriate.

5. Quorum

- 5.1 The quorum for the Overview and Scrutiny Committee shall be one quarter of the whole numbers of members provided that in no case shall the quorum of the committee be less than four voting members.

6. Work Programme

- 6.1 The Overview and Scrutiny Committee will be responsible for reporting annually to the Council on both its proposed work plan and its work in the preceding year and, in doing so, shall take into account wishes of members on the Committee who are not members of the largest political group on the Council.

7. Agenda Items

- 7.1 Any member of the Overview and Scrutiny Committee shall be entitled to give notice to the Proper Officer that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request, the Proper Officer will ensure that it is included on the next available agenda.
- 7.2 The Overview and Scrutiny Committee shall also respond, as soon as its work programme permits, to requests from the Council and policy committees to review particular areas of council activity. Where it does so, the Overview and Scrutiny Committee shall report their findings and any recommendations back to the relevant policy committee and/or Council. The Council and/or the relevant policy committee shall consider the report of the Overview and Scrutiny Committee at the next available meeting.
- 7.3 There will be a standing item on the agenda of all ordinary meetings of the Overview and Scrutiny Committee which will allow for consideration to be given to the work programme.

8. Policy Review and Development

- 8.1 The role of the Overview and Scrutiny Committee in relation to the development of the Council's budget and policy framework is set out in detail in the Budgetary and Policy Framework Procedure Rules in Part V of this Constitution.
- 8.2 In relation to the development of the Council's approach to other matters not forming part of its policy and budgetary framework, the Overview and Scrutiny Committee may make proposals to policy committees for developments in so far as they relate to matters within its terms of reference.

- 8.3 The Overview and Scrutiny Committee may hold inquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist in this process. It may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that it reasonably considers necessary to inform its deliberations. It may ask witnesses to attend to address it on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

9. Reports from the Overview and Scrutiny Committee

- 9.1 Once it has formed recommendations on proposals for development, the Overview and Scrutiny Committee will prepare formal reports and submit them to the Proper Officer for consideration by the relevant policy committee (if the proposals are consistent with the existing budgetary and policy framework), or to the Council as appropriate (e.g. if the recommendation would require a departure from, or a change to, the agreed budgetary and policy framework).
- 9.2 If the Overview and Scrutiny Committee cannot agree on one single final report to the Council or the relevant policy committee as appropriate, then up to one minority report may be prepared and submitted for consideration by the Council or policy committee with the majority report.
- 9.3 The Council or policy committee shall consider any report of the Overview and Scrutiny Committee at the next available meeting after being submitted to the Proper Officer.

10. Consideration of Overview and Scrutiny Committee's Reports by Policy Committees

- 10.1 Once an Overview and Scrutiny report on any matter which is the responsibility of a policy committee has been completed, it shall be included on the agenda of the next available meeting of the relevant policy committee.

11. Rights of Overview and Scrutiny Committee Members to Documents

- 11.1 In addition to their rights as Councillors, members of the Overview and Scrutiny Committee have the additional right to documents and to notice of meetings as set out in the Access to Information Procedure Rules in Part V of this Constitution.
- 11.2 Nothing in this paragraph prevents more detailed liaison between the relevant policy committee and the Overview and Scrutiny Committee as appropriate depending on the particular matter under consideration.

12. Members and Officers Giving Account

- 12.1 The Overview and Scrutiny Committee may scrutinise and review decisions made or actions taken in connection with the discharge of any council functions within its remit. As well as reviewing documentation, in fulfilling the

scrutiny role, it may require any member of a policy committee, the Head of Paid Service or an Assistant Director to attend before it to explain in relation to matters within its remit –

- (a) any particular decision or series of decisions; and
- (b) the extent to which the actions taken implement Council policy

and it is the duty of those persons to attend if so required.

More junior officers may be invited to assist the Committee.

- 12.2 Where any member or officer is required to attend the Overview and Scrutiny Committee under this provision, the Chairman of the Committee will inform the Proper Officer. The Proper Officer shall inform the member or officer in writing giving at least five working days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for presentation of that documentation.
- 12.3 Where, in exceptional circumstances, the member or officer is unable to attend on the required date, and then the Overview and Scrutiny Committee shall, in consultation with the member or officer, arrange an alternative date for attendance.

13. Attendance by Others

- 13.1 The Overview and Scrutiny Committee may invite people other than those people referred to in paragraph 12 above to address it, discuss issues of local concern and/or answer questions on issues within the remit of the committee. The committee may, for example, wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend.

14. Call-In

- 14.1 Call-in should occur where members of the Overview and Scrutiny Committee have evidence which suggests that the policy committee(s) for which it is responsible did not take the decision in accordance with the principles set out in Article 12.
- 14.2 Five working days are to be allowed for the call-in of decisions. The procedure is as follows –
 - (a) If four members on the Overview and Scrutiny Committee wish to call in a decision with a view to requesting that the relevant policy committee reconsiders the decision, this must be done within five

working days of publication of the decision, provided the issue in question has not been recorded as urgent.

- (b) Any request to call in a decision must be in writing, be signed by the four members and set out the resolution to be considered. The call-in notice should also set out the reason(s) why the decision should be reconsidered. The notice should be sent to the Head of Paid Service no later than 5pm on the fifth working day following publication of the decision.
 - (c) Decisions can only be called in once and must be considered at the next meeting of the Overview and Scrutiny Committee unless the agenda for that meeting has already been published. If the agenda has been published, the issue will be considered at the subsequent Overview and Scrutiny Committee meeting unless the matter is considered urgent by the Chairman of the Overview and Scrutiny Committee, taking into account any views of the Chairman of the Committee whose decision has been called in.
 - (d) The date of publication of the decision will be deemed to be the day on which the minutes were published on the Council's website.
 - (e) If having considered the decision the Overview and Scrutiny Committee may:
 - (i) refer back to the relevant policy committee for further consideration, setting out in writing its recommendations; or
 - (ii) not refer back to the relevant policy committee and the decision shall take effect on the date of the overview and scrutiny meeting.
- 14.3 Where a matter is to be referred to another committee, call-in only applies after the matter has been considered by that other committee.
- 14.4 Call-in does not apply to recommendations to Council nor to Council decisions themselves.
- 14.5 The Chairman of the committee whose decision has been called in shall be invited to the Overview and Scrutiny Committee meeting when the item is considered. The Chairman of the Overview and Scrutiny Committee (or his/her representative) shall attend the policy committee meeting when the called-in item goes back for consideration.
- 14.6 Where a policy committee does not wish to accept the recommendation(s) of the Overview and Scrutiny Committee on a called-in decision, the decision shall be referred to Council.
- 14.7 The call-in procedure set out above shall not apply where the decision being taken by the policy committee is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's

or the public interest. The record of the decision shall state whether, in the opinion of the decision-making committee, the decision is an urgent one and, therefore, not subject to call-in. The committee taking the decision must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. The Chairman of the Overview and Scrutiny Committee shall be consulted before any matter is dealt with under this urgency procedure.

14.8 Urgency in this context goes further than the urgency provisions contained in the Local Government (Access to Information) Act 1985 relating to late reports. A report may well have been submitted to the relevant committee in good time but the implementation of the decision is nevertheless considered urgent.

14.9 The operation of the provisions relating to call-in and urgency shall be monitored annually.

15. Procedure at Overview and Scrutiny Committee Meetings

15.1 The Overview and Scrutiny Committee shall consider the following business –

- (a) minutes of the last meeting;
- (b) declarations of interest;
- (c) consideration of any matter referred to the Committee for a decision in relation to call-in of a decision;
- (d) (responses of the policy committee(s) to reports of the Overview and Scrutiny Committee;
- (e) the business otherwise set out in the agenda for the meeting; and
- (f) the work programme.

15.2 Where the Overview and Scrutiny Committee conducts investigations (e.g. with a view to policy development), the Committee may also ask people to attend to give evidence at committee meetings which are to be conducted in accordance with the following principles:

- (a) that the investigation be conducted fairly and all members of the Committee given the opportunity to ask questions of attendees, to contribute and speak;
- (b) that those assisting the Committee by giving evidence be treated with respect and courtesy; and
- (c) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

15.3 Following any investigation or review, the Committee shall prepare a report for submission to the appropriate policy committee and/or Council as appropriate and shall make its report and findings public.

16. Oversight Commissions

- 16.1 Part of the role of the Overview and Scrutiny Committee is to provide support to the two policy committees by holding commissions on specific areas as requested by those committees.

To commence a commission: -

- The Prosperous Communities Committee and/or the Corporate Policy and Resources Committee will agree the purpose, scope and terms of reference of a commission and make a formal request via the Chair of Overview and Scrutiny (by formal report) that a commission is established to investigate in detail a particular issue from a national, regional, sub-regional and local perspective.
- The proposed report and terms of reference for a commission should be agreed with the Chair of Overview and Scrutiny Committee prior to being submitted to the commissioning policy committee for agreement.'
- In undertaking such a commission, the Overview and Scrutiny Committee may hold inquiries and investigate options for future direction in policy development. They may appoint advisers and assessors to assist in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address it on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so, as specified in the Constitutional operating procedures.
- If a budget is required this will need to be agreed by the commissioning Committee.
- The Overview and Scrutiny Committee will report back their findings to the Commissioning Policy Committee