

Division(s): N/A

COUNCIL – 13 JULY 2021

REVIEW OF SCRUTINY ARRANGEMENTS

Report by Director of Law & Governance

RECOMMENDATION

Council is RECOMMENDED to:

- (a) approve the draft terms of reference (at Annex 1) and the allocated subject areas (at Annex 2) for three new overview and scrutiny committees, namely:
 - (i) Place**
 - (ii) People**
 - (iii) Performance and Corporate Services****
- (b) agree that these committees be appointed to replace the current overview and scrutiny committees (Education and Performance), effective from September 2021;**
- (c) make appointments to the three committees based on political proportionality as set out in paragraph 9 and at Annex 3 (to follow);**
- (d) request the Director of Law & Governance and Monitoring Officer to amend the Constitution to reflect these changes;**
- (e) authorise the Director of Law & Governance and Monitoring Officer to determine and confirm the dates of meeting for the three committees for the remainder of the 2021/22 Council Year.**

Executive Summary

1. At the Annual Meeting, Council re-appointed the Education and Performance Overview and Scrutiny Committees that had existed under the previous administration. This enabled the work of these committees to continue pending a review of scrutiny arrangements.
2. It is now proposed that these committees be replaced with a broader set of overview and scrutiny committees. This is to enable a greater range and depth of scrutiny activity inclusive of a wider range of members of the Council.
3. Annex 1 provides common terms of reference, to give clarity to the scope and purpose of scrutiny within the Council. Annex 2 provides an overview of the service areas these committees would scrutinise.
4. If the proposal to appoint the committees on these terms is approved, Council is invited to appoint members to the committees under the political proportionality rules set out at paragraph 9 and in the separate annex (Annex 3).

Three new overview and scrutiny committees

5. It is proposed that three new overview and scrutiny committees would replace the two existing council scrutiny committees. This affords greater opportunity to review services on a thematic basis with regards to cross-cutting but defined areas of *Place, People* and *Performance and Corporate Services*. Increasing the scrutiny arrangements by one committee will not incur significant cost and will enable a wider range and depth of scrutiny activity than is possible at present. It is timely to do this, to maximise the involvement of newly elected members.
6. Annex 1 provides a common set of terms of reference which would form a revision to Part 6.2 of the Constitution; that is, the Council's Overview and Scrutiny Procedure Rules. Annex 2 complements this by setting out the proposed service-area responsibilities of the proposed committees under a revised Article 7 of the Constitution.
7. The new overview and scrutiny arrangements would also contain three new elements:
 - i. A membership of 9 elected members per committee
 - ii. Call-in of executive (key) decisions would no longer fall only to one committee (the Performance Overview and Scrutiny Committee) but to each committee having regard to its own terms of reference and service scope
 - iii. Chairs of these committees would be expected to come from the Council's Opposition Group (the Conservative-Independent Alliance Group). NB At present this is only true for the Performance Overview and Scrutiny Committee.
8. It is not suggested that any changes be made to the existing arrangements for the two joint scrutiny committees; that is, the Joint Health Overview and Scrutiny Committee and the Horton Health Overview and Scrutiny Committee.

Dates and Development

9. The Director of Law and Governance and Monitoring Officer will finalise, in consultation with Political Group Leaders, the most appropriate dates of meeting for the committees for the remainder of the administrative year.
10. The Council is also taking the timely opportunity, with the Centre for Governance and Scrutiny, to provide support to scrutiny committees for the development of the overview and scrutiny function including enhancing scrutiny skills, so that committees can maximise their effectiveness.

Appointments to the Committees

11. If the scrutiny committees are established, Council is invited to make appointments to them on the basis of the political proportionality rules. Given a membership of nine elected members, this means that the appointments to be

nominated by the Council’s political groups, in proportion to their number of seats on the Council, equate to:

Overview and Scrutiny Committee	Liberal Democrat/Green Alliance Group	Conservative-Independent Alliance Group	Labour and Co-operative Party Group	Unallocated
People	3	3	2	1
Place	3	3	2	1
Performance	3	3	2	1

12. The requirement to apply political proportionality to these committees does not trigger a requirement to review the balance of the whole membership at this time under the relevant Regulations.

Legal and Financial Implications

13. Council can appoint, or rescind the appointment of, committees, including scrutiny committees. It is not considered that the addition of one additional scrutiny committee would add any significant extra cost to the council.

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