

TELFORD & WREKIN COUNCIL

COUNCIL CONSTITUTION COMMITTEE – 8 JUNE, 2010

VOTING RIGHTS FOR CO-OPTED MEMBERS OF THE JOINT HOSC

REPORT OF THE HEAD OF GOVERNANCE

1.0 PURPOSE

- 1.1 For members to confirm the voting scheme for co-opted members on the Joint Health Overview and Scrutiny Committee with Shropshire Council and recommend the scheme to full Council.
- 1.2 For Members to consider the elected Member representation from Telford and Wrekin Council on the Joint HOSC

2.0 RECOMMENDATIONS

- 2.1 **Members consider the voting scheme attached as Appendix 1;**
- 2.2 **Members recommend the voting scheme to Full Council on the 24th June;**
- 2.3 **Members consider the elected Member representation on the Joint HOSC from Telford & Wrekin Council.**

3.0 SUMMARY

- 3.1 On the 29th October 2009 Full Council agreed to grant voting rights to the 3 co-opted Members of the Joint Health Overview and Scrutiny Committee. The voting rights were able to exercise their right to vote on respect of matter relating to the re-configuration of health services that were subject to consultation by Telford and Wrekin PCT and Shropshire PCT.
- 3.2 Shropshire Council have recently changes their Membership of the Joint HOSC 3 elected Members and 3 co-optees who have the right to vote in respect of matter relating to the reconfiguration of health services including Mental Health Services.
- 3.3 Members are asked to confirm the voting rights for the Telford and Wrekin co-opted members of the Joint HOSC to ensure the same rights apply to both authorities.

4.0 PREVIOUS MINUTES

4.1 Minute 50 - Council 29 October 2009

5.0 INFORMATION

5.1 The Joint HOSC with Shropshire Council undertakes the statutory scrutiny function in relation to consultation on health services that affect both local authority areas. During 2009 /10 the Committee met with Telford and Wrekin PCT, Shropshire PCT and the Shrewsbury and Telford Hospital Trust to consider the changes to acute services and the South Staffordshire and Shropshire Healthcare NHS Trust to consider the modernisation of mental health services. It is anticipated that the PCTs will start to consult on both Developing Health and Healthcare and Modernising Mental Health Services over the next few months.

5.2 Full Council have recognised the valuable contribution made by the co-opted Members to Scrutiny, in particular the scrutiny of NHS services. In order to confirm the co-optees voting rights and ensure co-optees from both authority's on the Joint HOSC have equal voting rights it is necessary for the Council to approve a Scheme setting out the parameters of the voting rights. A draft scheme is attached (Appendix 1) for consideration and recommendation to Full Council.

5.3 The co-opted Members on the Joint HOSC are:

- Dag Saunders – Senior Citizens Forum Representative
- Dilys Davis – experience of working in the NHS
- Jean Gulliver - Local Involvement Network Chair

6.0 Membership of the Joint HOSC

6.1 The Interim Scrutiny Committee met in the 1st June and considered the Membership of the Joint HOSC. It was agreed that the following Members would be the elected Member representatives on the Joint HOSC:

Cllr. Veronica Fletcher (Chair)

Cllr. Angela McClements

6.2 It was agreed that a discussion should be held by Group Leaders to determine the 3rd elected member representative from Telford and Wrekin on the Joint HOSC. The guidance from the Department of Health states that appointments to Overview and Scrutiny Committees must generally reflect the political make up of the full Council. The Local Government and Housing Act 1989 enables local authorities to waive the political balance requirements if all elected Councillors within that authority agree that it need not apply. Where a Joint committee is established, the political balance requirement applies for each participating authority unless members of all authorities agree to waive that requirement.

7.0 OTHER INFORMATION

Equality & Diversity	There are no equality and diversity issues to be considered.
Environmental Impact	there are no environmental impacts to be considered
Legal Comment	<p>Section 115 Local Government Act 2003 amends Schedule 1 to the Local Government Act 2000 to provide that co-opted members of an overview and scrutiny committee may be given voting rights. A Scheme must be made which sets the parameters of the voting rights and once made the Scheme must be published in a newspaper circulating in the area and be made available for inspection at the civic Offices.</p> <p>The Local Government and Housing Act 1989 enables local authorities to waive the political balance requirements if all elected Councillors within that authority agree that it need not apply.</p>
Links with Corporate Priorities	Adult Care and Support and community Focused and Efficient Council
Opportunities & Risks	<p>The co-opted members bring an independent perspective to the Scrutiny process which is now recognised by both authorities in the Joint HOSC.</p> <p>The Joint HOSC will consider the planning and delivery of healthcare services across Telford and Wrekin. This is a high profile issue for the authority.</p>
Financial Implications	There are no financial implications arising from granting of voting rights to co-opted members of the Joint HOSC.
Ward Implications	Borough wide

7.0 BACKGROUND PAPERS

Council Constitution
 Local Government Public Involvement in Health Act 2007
 Local Government and Housing Act 1989

Report prepared by Jonathan Eatough, Head of Governance, telephone 01952 383200