

TELFORD & WREKIN COUNCIL

COUNCIL – 24TH JUNE, 2010

NEW SCRUTINY ARRANGEMENTS/POLITICAL BALANCE

REPORT OF THE HEAD OF GOVERNANCE

1.0 PURPOSE

- 1.1 To seek approval of the new Scrutiny arrangements and the necessary changes to the Council's Constitution.
- 1.2 To appoint the members, Chairmen and Vice-Chairmen of the Scrutiny Committees.
- 1.3 To appoint a Chairman of the Scrutiny Assembly.

2.0 RECOMMENDATIONS

- 2.1 **That the membership of each of the 7 Council Priority Scrutiny Committees have a maximum membership of 6 members;**
- 2.2 **That the nominations for the membership of each of the 7 Scrutiny Committees be approved, as tabled at the Council meeting;**
- 2.3 **That the Chairman and Vice-Chairman of each of the 7 Scrutiny Committees be approved, as tabled at the Council meeting;**
- 2.4 **That the Chairman of the Scrutiny Assembly be appointed;**
- 2.5. **That the proposed changes to Part 4 – Overview & Scrutiny Procedure Rules, as shown at Annex C, be approved;**
- 2.6 **That the consequential changes to the Constitution arising from the new Scrutiny arrangements, as shown at Annex D, be approved;**
- 2.7 **That responsibility for the Statutory Health Scrutiny function, including the appointment of members and co-optees to any Joint Health Scrutiny arrangements be moved from the Adult Care & Support Scrutiny Committee to the Active Lifestyles – Leisure & Culture Scrutiny Committee and paragraph 2.7 of Part 4 – Overview & Scrutiny Procedure Rules be amended accordingly;**
- 2.8 **That the voting scheme for co-opted members of the Joint Health & Overview Scrutiny Committee, as set out in Annex E, be confirmed;**

3.0 PREVIOUS MINUTES

Scrutiny Leadership Board – 25th March, 2010 (Minute No. SLB-12)
Council Constitution Committee – 13th May, 2010 (Minute No. CCC-16)
Council – 29th April, 2010 (Minute No. 106(v))

4.0 CHANGES TO CONSTITUTION – PART 4 – OVERVIEW & SCRUTINY PROCEDURE RULES

- 4.1 At the Council Meeting held on the 29th April, 2010 it was resolved that the model for Scrutiny arrangements be that outlined within paragraph 4.5 (2) in Professor Leach's report 'Review of Scrutiny Arrangements at Telford & Wrekin' i.e. option 2 (Priority Based sub-groups). Subsequently, at the Annual Council meeting held on 20th May, 2010 an Interim Scrutiny Committee was established to make recommendations to the Council Constitution Committee regarding the establishment of these new Scrutiny arrangements.
- 4.2 Part 4 of the Constitution – Overview & Scrutiny Procedure Rules was rewritten in line with the new Scrutiny arrangements and submitted to the Interim Scrutiny Committee at its meeting on 1st June, 2010 which was requested to make recommendations on a number of points, as shown in the minutes attached as Annex A. These recommendations included the size of the 7 Scrutiny Commissions, 3 of which were to have 6 members and 4 of which were to have 8 members.
- 4.3 The revised Part 4 – Overview & Scrutiny Procedure Rules was recommended for approval by the Council Constitution Committee held on 8th June, 2010 (a copy of the minutes is attached as Annex B) apart from the size of the Committees. It was the view of the Council Constitution Committee that each of the Scrutiny Committees should comprise 6 members, with the overall political balance of the Council being taken into account. Annex C shows the revised Procedure Rules, as agreed by the Interim Scrutiny Committee, with the subsequent changes recommended by the Council Constitution Committee being shown in red.

5.0 CONSEQUENT CHANGES TO THE CONSTITUTION

- 5.1 As a result of the establishment of the new Scrutiny arrangements a number of minor changes were required to the Constitution, as shown by the track changes in Annex D.

6.0 APPOINTMENT OF MEMBERSHIP OF SCRUTINY COMMITTEES

- 6.1 At the Council Meeting held on 29th April, 2010 the 7 Priority Based Scrutiny Committees were approved and Group Leaders have been requested to nominate members to the Scrutiny Committees based upon the following matrix:

TOTAL POLITICAL BALANCE CIVIC YEAR 2011/2011 – INCLUDING ALL COMMITTEES BOARDS ETC TOGETHER WITH THE NEW SCRUTINY ARRANGEMENTS

The Council's political balance is as follows:

Conservative	27 seats (50.00%)
Labour	17 seats (31.48%)
Liberal Democrat/Independents	6 seats (11.11%)
TAWPA	4 seats (7.41%)

		CON	LAB	LD/IND	TAWPA
		(44.5)	(28.01)	(9.89)	(6.59)
		45	28	10	7
Standards Committee	8	4	2	1	1
Audit Committee	6	3	2		1
Plans Board	8	4	3	1	0
Licensing Committee	14	7	5	1	1
Council Constitution Cttee	8	4	2	1	1
Adult Care & Support Scrutiny Cttee	6	3	2	0	1
Efficient & Community Focused Scrutiny Cttee	6	3	2	1	0
Community Protection & Cohesion Scrutiny Cttee	6	3	1	1	1
Housing Regeneration & Prosperity Scrutiny Cttee	6	3	2	1	0
Active Lifestyles, Leisure & Culture Scrutiny Cttee	6	3	2	1	0
Environment & Rural Areas Scrutiny Cttee	6	3	2	1	0
Children & Young People Scrutiny Cttee	6	3	2	1	0
Joint Health Scrutiny Cttee	3	2	1	0	0
Total	89	45	28	10	6

6.2 Following appointment of the membership of each of the Scrutiny Committees, Council is requested to appoint the respective Chairmen and Vice-Chairmen, per the tabled nominations.

7.0 APPOINTMENT OF CHAIRMAN OF THE SCRUTINY ASSEMBLY

7.1 As set out in the proposed Part 4 – Overview & Scrutiny Procedure Rules - Section 8 – Terms of Reference for the Scrutiny Assembly - the Chairman of the Assembly should be appointed at the Annual Council Meeting. Subject to the new Overview & Scrutiny Procedure Rules having been previously approved, Council is requested to make this appointment.

8.0 JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE – TELFORD & WREKIN COUNCIL AND SHROPSHIRE COUNCIL

- 8.1 The Council Constitution Committee at its meeting on 8th June, 2010 was asked to confirm the voting scheme for co-opted members on the Joint Health Overview & Scrutiny Committee (JHOSC) and recommend the scheme to Council (as shown at Annex D).

On the 29th October, 2009 Council had agreed to grant voting rights to the 3 co-opted members of the JHOSC in respect of matters relating to the re-configuration of health services that were subject to consultation by the Telford & Wrekin PCT and the Shropshire PCT. Shropshire Council had recently changed their membership of the JHOSC to 3 elected Members and 3 co-optees who had the right to vote in respect of matters relating to the reconfiguration of health services including Mental Health Services. Members are requested to confirm the voting rights for the Telford & Wrekin co-opted members to ensure the same rights applied to both authorities.

- 8.2 Council is asked to note that Council Constitution Committee agreed that the membership of the JHOSC should be politically balanced in accordance with the current overall political balance of the Council, i.e. 2 Conservative seats and 1 Labour seat.
- 8.3 The Council Constitution Committee further recommended that future consideration of statutory health scrutiny functions including the appointment of Members and co-optees to any Joint Health Scrutiny arrangements and other associated health matters should fall within the remit of the Active Lifestyles, Leisure & Culture Committee and that Part 4 – Overview & Scrutiny Procedure Rules be amended accordingly.

9.0 OTHER CONSIDERATIONS

Equality & Diversity	The business of the Council considers equality and diversity in an appropriate manner.
Environmental Impact	None arising directly from this report.
Legal Comment	The Local Government Act 2000 requires the Council to have a Constitution. The Council has a duty to scrutinise its work and that of NHS and partner organisations. These duties have been set out within the remits of the relevant Scrutiny Committees.
Links with Corporate Priorities	The Scrutiny Committees' remits mirror the Council Priorities. Work of the Scrutiny Reviews and Special Interest Meetings cuts across the corporate priorities. The Scrutiny function supports the priority 'An Efficient and Community Focused Council'.

Opportunities & Risks	The new arrangements offer an opportunity to liaise with the Cabinet to ensure that Scrutiny can influence the Council's priorities. There is a risk that if the Scrutiny work programme is not managed within the resources available that the Scrutiny work programme will not be delivered within the agreed timescales.
Financial Implications	There are no financial impact implications arising from this report and any changes can be met from within existing budgets.
Ward Implications	Borough wide

10.0 **BACKGROUND PAPERS**

Council Constitution