

## **INTERIM SCRUTINY COMMITTEE**

### **Minutes of the meeting of the Interim Scrutiny Committee held on Tuesday, 1<sup>st</sup> June, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors V.A. Fletcher (Chairman), R.G. Chaplin, G.M. Green, T.J. Hope, L. Lomax, A.D. McClements, A.A. Meredith, C.P.R. Mollett, C.F. Smith, A.J. Stanton, H.J. Unwin, D.R.W. White (part) and H.J. Williams

#### **ISC-1      APOLOGY FOR ABSENCE**

Councillor K.L. Tomlinson

#### **ISC-2      DECLARATIONS OF INTEREST/PARTY WHIP**

Councillor L. Lomax declared an interest in the Telford & Wrekin Primary Care Trust.

#### **ISC-3      SCRUTINY ARRANGEMENTS**

The Interim Scrutiny Committee was established at the Annual Council Meeting on 20<sup>th</sup> May, 2010 to propose the new Scrutiny arrangements and the report of the Scrutiny Manager asked the Committee to agree these and to recommend the necessary changes to the Council's Constitution Committee.

Appendix 2 of the report set out the proposed changes to Part 4 – Rules of Procedure – Overview and Scrutiny Procedure Rules and Section 5 of the report detailed the changes and options on which the Committee was asked to take a view. The Committee agreed the following:

#### **Membership of Scrutiny Committees**

Appendix 1 of the report set out for Members' information details of the allocation of the membership between all the political groups on the Council based upon Scrutiny Committees of either 6 or 8 elected members. The Committee noted that, in order to retain political balance, it would not be possible to have a 7 member Committee.

It was agreed that Option 3, as set out in Appendix 1 (3 Committee of 6 members, 4 Committees of 8 members) be recommended as follows:

Adult Care and Support Scrutiny Committee	6 members
Efficient Community Focused Council	8 members
Community Protection and Cohesion	6 members
Housing, Regeneration & Prosperity	8 members
Active Lifestyles – Leisure & Culture	6 members
Environment & Rural Areas	8 members
Children & Young People	8 members

It was further recommended that the members of the Scrutiny Committees be appointed for a two year period.

### Scrutiny Meetings

The Committee recommended that with regard to urgent business a Scrutiny Committee would be called, as soon as practicable, if 7 Members of the Scrutiny Assembly signed such a request.

### Scrutiny Assembly

The Committee discussed the two options set out in paragraphs 5.7 and 5.8 of the report. Option 1, as set out in the current Constitution, allowed for 'All Councillors except members of the Cabinet, Cabinet Assistants and the Mayor will be members of the Scrutiny Assembly, although the Mayor may still attend and participate in meetings if he or she wishes.' Option 2 extended this provision to the Deputy Mayor. The Committee considered that there was no reason to exclude the Deputy Mayor and it was agreed that the current wording of the Constitution remain in this respect remain unchanged.

### Scrutiny Work Programme

Paragraph 5.10 of the report set out the suggested process for determining the method of scrutiny and the timing of the work programme following the identification and prioritisation of the issues at a meeting of the Scrutiny Assembly. An alternative process of setting the Work Programme was tabled at the meeting for the Members' consideration. This option allowed for the Scrutiny Chairmen's Forum to agree the cross-cutting reviews to be undertaken during a municipal year and the number of meetings to be allocated to these. In addition, each Scrutiny Committee would meet to plan its own work programme including the topics identified by the Scrutiny Assembly and any issues referred from the previous Scrutiny arrangements and to decide the most appropriate form of meeting.

The Committee considered that the option, as tabled, was a clearer process which would provide a good structure given the size of the Scrutiny work load and the need to also continue to hold the Cabinet to account. Councillor Lomax emphasised the need to maintain the monitoring of the recommendations made by Scrutiny Groups and the Scrutiny Manager confirmed that the current system of monitoring would be retained.

It was agreed that the option tabled be recommended for approval.

(Councillors A.J. Stanton and D.R.W. White left the meeting at this point due to other arrangements).

The Scrutiny Officer briefly outlined the format for the Scrutiny Assembly meeting to be held in July and the Committee put forward a number of suggestions for consideration.

### Additions and Changes to the Scrutiny Work Programme in Year

Paragraphs 5.12, 5.13, 5.14 and 5.15 set out a suggested procedure with an alternative procedure being set out in paragraphs 5.16 and 5.17. The Committee

considered that the alternative procedure was a clear process but recommended that the proportion of the members of a Scrutiny Committee required to agree that an issue raised through a Scrutiny Suggestion Form be scrutinised be a simple majority of the members rather than the '¾ of the membership' proposed in the report. It was further recommended that this process did not require a meeting of the relevant Scrutiny Committee but could be undertaken by e-mail. This to be set out in the Scrutiny Handbook as would be the process for Chairing Scrutiny Reviews, as set out in paragraph 5.18 of the report.

### Process to Sign off Scrutiny Reports

Paragraph 5.19 of the report set out two options for Members' consideration. Option 1 allowed for the Chairman of a Scrutiny Committee to sign off the final report and Option 2 allowed for the Scrutiny Committee to do so. Members agreed that Option 2 be recommended for approval subject to the wording being amended to include the name of the relevant Scrutiny Committee. It was also agreed that this process could take place by e-mail with a meeting only being held if an issue could not be resolved.

### Changes to the Constitution Regarding Scrutiny

Paragraph 20 of the report proposed that the Chairmen's Forum should recommend minor changes to the Scrutiny Arrangements, as set out in the Constitution. The Scrutiny Assembly would be consulted by e-mail on any substantial changes and, in the event of these requiring further discussion, a meeting of the Assembly could be held. Members noted that such changes would have to be agreed firstly by the Council Constitution Committee and, secondly, by Council.

### Membership of the Joint Health Overview & Scrutiny Committee with Shropshire Council (JHOSC)

The Interim Scrutiny Committee had the power to appoint this Council's membership of the JHOSC, which comprised 3 elected Members and 3 co-optees, as did that of Shropshire Council. Under the relevant legislation the membership was required to be politically balanced unless waived by all members of both authorities. Members noted that a report was being submitted to a meeting of the Council Constitution Committee on 8<sup>th</sup> June, which would make recommendations to Council on 24<sup>th</sup> June.

The Chairman proposed that Councillors A. McClements, R.G. Chaplin and herself be appointed to the JHOSC. A number of members referred to the need for the membership to be politically balanced in order that an overall Telford & Wrekin response could be put forward at meetings of the JHOSC. However, the Scrutiny Manager informed the Committee that legal advice received by Shropshire Council was that, due to Joint Committee having co-optees, it would not be possible to agree representation on the basis of political balance.

(Councillor A.A. Meredith left the meeting at this point due to a prior engagement.)

Following a discussion and on being put to the vote, it was resolved that Councillors V.A. Fletcher and A.A. McClements be appointed as the Council's representatives

on the JHOSC and it was further resolved that Councillor V.A. Fletcher be appointed as Chairman for the purposes of liaison with Shropshire Council. It was agreed that the Group Leaders be asked to submit nominations for the third member of the JHOSC to be appointed at the next meeting of the Interim Scrutiny Committee

(Councillor A.A. McClements left the room at this point due to a prior engagement.)

The Scrutiny Manager drew the Committee's attention to the consequent changes to the Constitution requiring following the changes to the Scrutiny arrangements.

**RECOMMENDED** – that the following changes to the Scrutiny structures and processes be recommended to the Council Constitution Committee at its meeting on 8<sup>th</sup> June, 2010:

- (a) That the membership of the seven Scrutiny Committees be:
  - (i) Adult Care & Support 6 members
  - (ii) Efficient Community Focused Council 8 members
  - (iii) Community Protection & Cohesion 6 members
  - (iv) Housing, Regeneration & Prosperity 8 members
  - (v) Active Lifestyles – Leisure & Culture 6 members
  - (vi) Environment & Rural Areas 8 members
  - (vii) Children & Young People 8 members
- (b) That the members of the above Scrutiny Committees be appointed for a period of two years;
- (c) That 7 members of the Scrutiny Assembly be required to sign a request for a meeting of the relevant Scrutiny Committee to be called, as soon as practicable, to consider urgent business;
- (d) That the process for setting the Scrutiny Work Programme be as set out in paragraph 5.10.5, as tabled,
- (e) That the procedure for Agenda items and Issues for Scrutiny be as set out in paragraph 5.16 of the report, subject to the deletion of the words 'If  $\frac{3}{4}$  of the membership...' and the insertion of the words 'If a simple majority .....';
- (f) That the Process to Sign off Scrutiny reports be as set out in paragraph 5.19(b) of the report;
- (g) That changes to the Constitution Regarding Scrutiny be as set out in paragraph 5.20 of the report.

**RESOLVED** – that Councillor V.A. Fletcher and Councillor A.A. McClements be appointed to the Joint Health Overview & Scrutiny Committee.

The meeting ended at 8.42 p.m.

Chairman: .....

Date: .....