

TELFORD & WREKIN COUNCIL

COUNCIL CONSTITUTION COMMITTEE – 15TH JUNE 2011

**CHANGES TO THE CONSTITUTION TO REFLECT SCRUTINY
ARRANGEMENTS**

REPORT OF THE SCRUTINY MANAGEMENT BOARD

1. PURPOSE

To make recommendations to the Council Constitution Committee to update the Council's Constitution so that the Scrutiny Committees established at Annual Council on 26th May 2011 are fully constituted.

2. RECOMMENDATIONS

- 2.1 That the Council Constitution Committee endorses the changes proposed in Appendix 1 and recommends these changes to Full Council.**

3. SUMMARY

- 3.1 Appendix 1 shows the changes recommended by the Scrutiny Management Board to update the Council's Constitution to reflect the scrutiny appointments established at Annual Council on 26th May 2011.
- 3.2 The Scrutiny Management Board has taken the opportunity to propose the streamlining of the relevant sections of the Constitution consistent with the Council's aim of modernising the Constitution and improving efficiency.
- 3.3 The proposed changes retain the key principles and core elements of Scrutiny in the Constitution, but recommend that the operational and process elements are removed and set out in the Scrutiny Handbook.
- 3.4 This approach means the governance arrangements for Scrutiny are set out in Constitution, but allows flexibility for changes to be made to the operating structure and processes without the need to update the Constitution each time a change is made.
- 3.5 Decisions about the scrutiny structure and processes will be determined by the Scrutiny Management Board, in consultation with

the Scrutiny Assembly, consistent with effective delivery of the scrutiny function and the principle of the separation of powers between the Executive and Scrutiny.

- 3.6 The Scrutiny Management Board will be responsible for co-ordinating all aspects of the scrutiny work programme and will be responsible for scrutiny of decisions called in.

4. PREVIOUS MINUTES

- 4.1 None

5. INFORMATION

- 5.1 On 26th May 2011 Annual Council appointed to 6 Scrutiny Committees including a Scrutiny Management Board and 5 service themed Scrutiny Committees. These meetings could not take place until the Constitution had been updated to reflect an amended scrutiny structure. These changes will be agreed by Council on 23rd June 2011.
- 5.2 The Scrutiny Management Board met informally on 6th June 2011 to consider the changes required and recommend the changes set out in Appendix 1.
- 5.3 The Scrutiny Management Board discussed the options for updating the Constitution and agreed that the approach should be to streamline the Constitution, making it more efficient, flexible to change and easier for people to read. It was also agreed that Members should be encouraged to access the Constitution electronically to save money on printing costs.

6. Equal Opportunities

Equal opportunities are considered as part of scrutiny reviews.

7. Environmental Impact

Environmental impacts are considered as part of scrutiny reviews.

8. Legal Comment

- 8.1 The Local Government Act 2000, as amended, sets out the provision for establishing an Overview and Scrutiny Committee. In the proposal set out in this report such a committee is to be called the Scrutiny Management Board.

- 8.2 Section 21 (6) of the Local Government Act 2000, as amended, makes provision for the Scrutiny Management Board to establish Sub-Committees to discharge the overview and scrutiny function. In the proposal in this report the sub-committees are also referred to as Committees but are given specific areas of council business to concentrate on. The Scrutiny Management Board may make amendments to the other Committees and their remit as they see fit providing it remains within the legislative framework and gives due regard to government guidance.
- 8.3 Any decision to amend the scheme of delegation to the Sub-Committees or change their structure must be recorded and made available to view.

9. Links with Corporate Priorities

The Scrutiny Work Programme will be linked to Council priorities and developed in consultation with Executive members.

10. Opportunities and Risks

There is an opportunity to streamline the Constitution to create efficiencies.

11. Financial Implications

- 11.1 There are no direct financial implications as a result of the proposed changes to the Council's Constitution to reflect the revised scrutiny arrangements. There is adequate budgetary provision within existing budgets for payment of special responsibility allowances to the Chair of each of the 6 Scrutiny Committees.

12. WARD IMPLICATIONS

There are no ward specific implications arising from this report.

13. BACKGROUND PAPERS

None

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