

TELFORD & WREKIN COUNCIL

SCRUTINY MANAGEMENT BOARD– 18th APRIL 2012

PROPOSED CHANGES TO THE SCRUTINY COMMITTEE STRUCTURE

REPORT OF SCRUTINY GROUP SPECIALIST

1.0 PURPOSE

- 1.1 To enable the Scrutiny Management Board to consider the responses to the consultation and agree the Scrutiny Committee structure to be implemented in 2012/13.

2.0 RECOMMENDATIONS

- 2.1 That the Scrutiny Management Board considers the responses to the consultation and agrees the recommendations for the Scrutiny Committee structure as set out in section 7.1 of this report that:
- 2.1.2 That the Health and Adult Social Care Scrutiny Committees be merged to form one Health & Adult Care Scrutiny Committee.
 - 2.1.3 That there will be eight elected Members appointed to the Health & Adult Care Scrutiny Committee.
 - 2.1.4 That the Co-optees on the Health and Adult Social Care Scrutiny Committees will automatically become co-opted members of the Health & Adult Care Scrutiny Committee and that the Co-opted members of the Health Scrutiny Committee who also sit on the Shropshire and Telford & Wrekin Joint Health Overview & Scrutiny Committee will remain the same.
 - 2.1.5 The establishment of a Housing, Economy & Infrastructure Scrutiny Committee. The remit of the Committee will include scrutiny of matters relating to housing, economic development, regeneration, transport, environment and planning.
 - 2.1.6 That there will be eight elected Members appointed to the Housing, Economy and Infrastructure Scrutiny Committee.
- 2.2 That the Scrutiny Management Board notes the process and timetable for making changes as set out in Section 8.4.

3.0 PREVIOUS MINUTES

3.1 Scrutiny Management Board, 5th March 2012

4.0 SUMMARY

4.1 At a meeting on 5th March 2012, the Scrutiny Management Board agreed proposed changes to the scrutiny arrangements aimed at improving the efficiency and effectiveness of the scrutiny function as follows:

4.1.1 The merger of the Health and Adult Social Care Scrutiny Committees, and the establishment of a new Housing, Economy and Infrastructure Scrutiny Committee.

4.1.2 To invite Town & Parish Councils to elect a representative to sit on each Scrutiny Committee, except the Scrutiny Management Board.

4.2 It was agreed that the Scrutiny Assembly and the Town & Parish Councils would be consulted by e-mail on the proposed changes, and that the Scrutiny Management Board would meet again in April to consider the feedback and agree the changes.

4.3 Subsequent to the meeting on 5th March, the consultation with Town & Parish Councils was extended to allow time for the parishes to consider the proposals at one of their meetings. The arrangements for involving the Town & Parish Councils with Scrutiny would then be agreed by the Scrutiny Management Board on 14th May 2012.

5.0 PROPOSALS FOR THE SCRUTINY COMMITTEES

5.1 The following changes to the Scrutiny Committees were put out for consultation:

5.1.1 The merger of the Health and Adult Social Care Scrutiny Committees into one **Health & Adult Care Scrutiny Committee**. The rationale was the duplication of work between the two committees which is only likely to increase as the NHS reforms bring about closer integration of health and adult care services. It was felt a merger would create one stronger, more focused committee and would make more efficient use of both member and officer resources.

There are currently 8 elected members on the Adult Social Care Scrutiny Committee and 6 elected members on the Health

Scrutiny Committee. It was proposed that there would be eight elected members on the Committee.

- 5.1.2 The establishment of a new **Housing, Economy and Infrastructure Scrutiny Committee**. It had been recognised that there were gaps within the existing Scrutiny Committee structure. Key areas of Council activity in housing, economic development, regeneration, environment and transport did not fall within the remit of one of the existing Committees. Scrutiny of these issues had been incorporated into the Scrutiny Management Board's work programme which had limited its capacity to play a full strategic role or to conduct reviews requiring in-depth or follow-up work.

The new Scrutiny Committee would allow for more effective scrutiny of issues within the defined areas by a dedicated Committee, and would free up capacity within the Scrutiny Management Board to take on a more strategic function.

It was proposed that there would be eight elected members on the Committee.

- 5.2 Appendix 1 shows the existing scrutiny structure and the proposed new structure.

6.0 CONSULTATION PROCESS AND FEEDBACK

- 6.1 Scrutiny Assembly members were consulted on the proposals by e-mail from 12th March to 9th April.
- 6.2 Town & Parish Councils were consulted by e-mail from 29th March to 16th April.
- 6.3 The consultation responses are set out at Appendix 2 for consideration with information in reply where required.

7. RECOMMENDATIONS

- 7.1 Based on the feedback from the consultation and taking into account the statutory scrutiny requirements, it is recommended that the Scrutiny Management Board agree:
- 7.1.1 That the Health and Adult Social Care Scrutiny Committees be merged to form one Health and Adult Care Scrutiny Committee.
- 7.1.2 That in line with membership of the other Scrutiny Committees, there will be eight elected members on the Health and Adult Care Scrutiny Committee.

- 7.1.3 That the Co-optees on the Health and Adult Social Care Scrutiny Committees will automatically become Co-opted members of the Health & Adult Care Scrutiny Committee. The Co-opted members of the Health Scrutiny Committee who also sit on the Shropshire and Telford & Wrekin Joint Health Overview & Scrutiny Committee will remain the same.
- 7.1.4 The establishment of a Housing, Economy & Infrastructure Scrutiny Committee. The remit of this Committee will include matters relating to housing, economic development, regeneration, transport, environment and planning.
- 7.1.5 That in line with membership of the other Scrutiny Committees, there will be eight elected members of the Committee.

8. PROCESS AND TIMETABLE FOR MAKING THE CHANGES

- 8.1 The Council's Constitution sets out that there will be a minimum of 2 and a maximum of 6 Scrutiny Committees including the Scrutiny Management Board.
- 8.2 Subject to this provision, the Scrutiny Management Board may make changes to the scrutiny structure and processes after consulting with the Scrutiny Assembly. The Scrutiny Chairman will report changes to the next full Council meeting and the Scrutiny Handbook will be updated to reflect the changes.
- 8.3 Appointments to the Scrutiny Committees will be made at Annual Council.
- 8.4 The proposed changes remain within the provision of the Council's Constitution and the process and timetable for making the changes is set out below:

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|-----------------------------|---------------------------|--|
| 18 th April 2012 | Scrutiny Management Board | Scrutiny Management Board considers feedback from the consultation and agrees changes to the Scrutiny Committee structure. |
| From 18 th April | | Scrutiny Assembly, Cabinet Members and Council officers advised of changes. Scrutiny Handbook re-drafted by Scrutiny Officers to be considered at a future meeting of the Scrutiny Management Board. Town & Parish Councils advised of |

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|----------------------|--------------|---|
| | | changes. |
| 3 rd May | Full Council | Scrutiny Chairman reports agreed changes to Full Council. |
| 24 th May | Council AGM | Appointment of members to the Scrutiny Committees. |

9. EQUAL OPPORTUNITIES

There are no equal opportunity issues arising from this report.

10. ENVIRONMENTAL IMPACT

There are no environmental impacts arising from this report.

11. LEGAL COMMENT

The Terms of Reference of the Scrutiny Management Board include the following provisions in relation to the decision which are for consideration in this report –

“Subject to the provision of Part 4, Section 5, paragraph 1.1 of the Council’s Constitution [there will be a Scrutiny Assembly, and a minimum of 2 and maximum of 6 Scrutiny Committees including a Scrutiny Management Board.], the Scrutiny Management Board may make changes to the scrutiny structure and processes after consulting with the Scrutiny Assembly. The Scrutiny Handbook will be updated to reflect the changes. Changes will be reported back to the next full Council meeting.

The Scrutiny Management Board may periodically review and make changes to the Policy for Co-opting Scrutiny Members.”

Section 21(10) of the Local Government Act 2000 provides that a Scrutiny Committee can include members who are not elected Members of the Authority. Such members cannot vote unless a scheme is made in accordance with Schedule 1 Paragraph 12 to the Act.

Officers will continue to monitor developments in relation to the enactment of the relevant provisions of the Health and Social Care Act 2012 and update the Board in relation to any future changes that may need to be made to existing arrangements.

12. LINKS WITH CORPORATE PRIORITIES

The proposal relates to the Council’s scrutiny function.

13. OPPORTUNITIES AND RISKS

The proposals present an opportunity to improve the effectiveness of scrutiny.

14. FINANCIAL IMPLICATIONS

There are no direct costs associated with the proposed Scrutiny Committee structure. As set out in the Council's constitution, a special responsibility allowance of £7,139 p.a is paid to the Chairs of Scrutiny Committees and co-optees receive £260 p.a. There is a revenue budget to meet the costs of member allowances and the changes do not increase the allowances payable.

15. WARD IMPLICATIONS

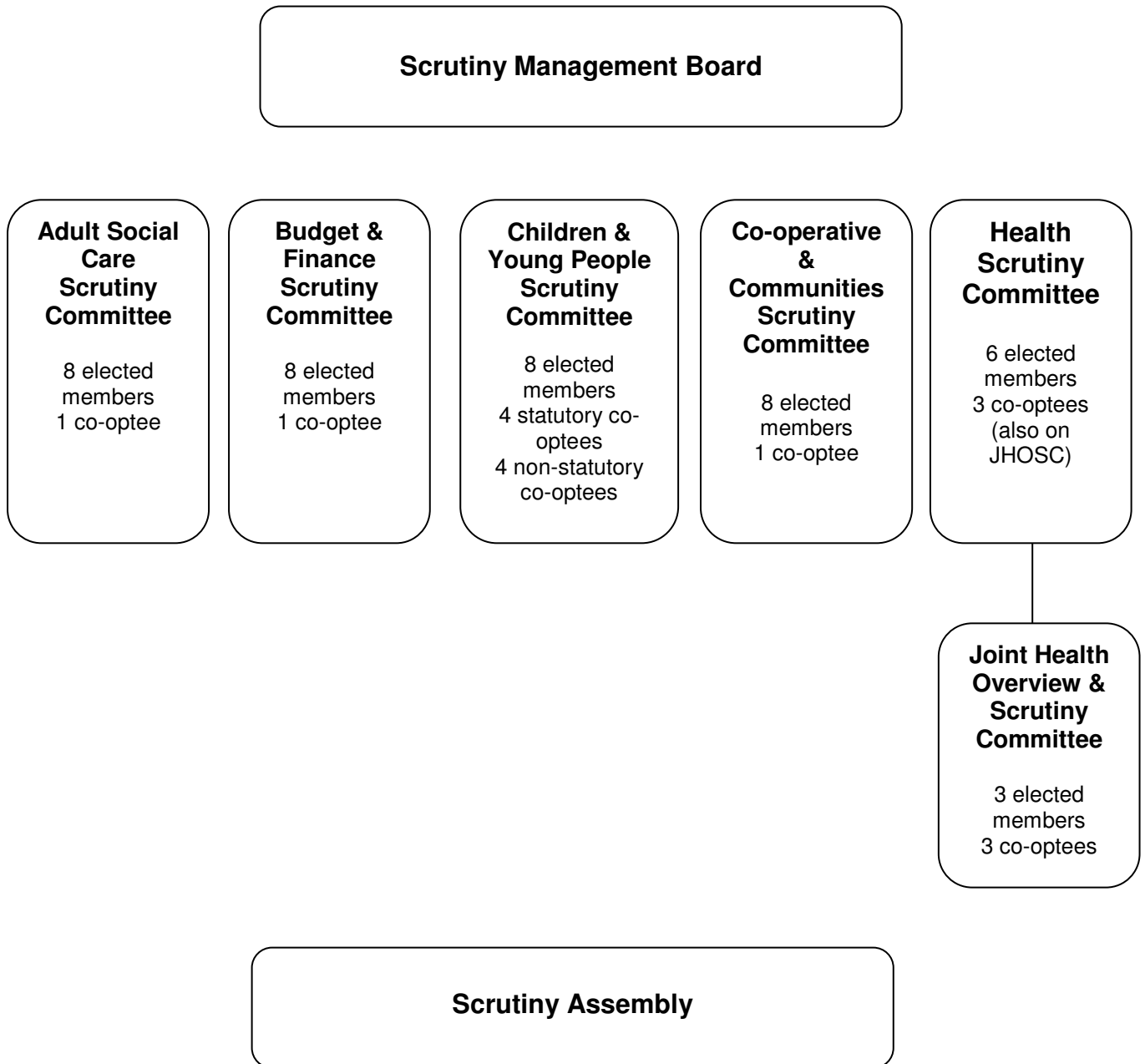
There are no ward specific implications arising from this report.

16. BACKGROUND PAPERS

None

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EXISTING STRUCTURE



PROPOSED STRUCTURE

Scrutiny Management Board (strategic oversight)

- Setting the priorities for scrutiny
- Agreeing and managing the work programme
- Evaluation and performance monitoring - quantitative and qualitative
- Allocation of resources
- Legislation updates
- Scrutiny Reports
- Determining Scrutiny Assembly meetings
- Review issues of strategic importance

No change

Health & Adult Care Scrutiny Committee

8 elected members
4 co-optees

Budget & Finance Scrutiny Committee

No change

Children & Young People Scrutiny Committee

No change

Co-operative & Communities Scrutiny Committee

No change

Housing, Economy & Infrastructure Scrutiny Committee

(Incorporating regeneration, environment, transport)

8 elected members

Joint Health Overview & Scrutiny Committee

No change

Scrutiny Assembly

No change

Feedback from the consultation on the Scrutiny Committee Structure

1. I must say I am pleased that the Council have finally recognised the need to have a committee covering Regeneration, Housing and Economic Development / Tourism, which currently lack the necessary focus given the national and regional requirement to create jobs and ensure the necessary housing provision for the future. I have indeed been calling on the Managing Director to rethink the Scrutiny structure in this area.
(Scrutiny Member)
2. It makes sense to amalgamate the health and adult care scrutiny committees, yet I see no mention of inclusion of children, and young people. (Scrutiny Member)

[Response: There is a Children & Young People Scrutiny Committee to look at issues for children and young people. Topics which include both children and adult services may be scrutinised jointly by both Committees.]

Likewise the Housing, Economy & Infrastructure scrutiny what if any influence would this committee have with the housing associations, developers, or with highways, and the highways agency when capital programs are been considered. Where would it influence our public transport providers, or bring much needed influence on our private hire vehicles? (Scrutiny Member)

[Response: The Committee would include issues relating to housing, economic development, environment, regeneration, transport and planning within its remit. The influence of the Committee over partners would be commensurate with the statutory powers of scrutiny of partners as set out in the Local Government and Public Involvement in Health Act 2007, the Local Democracy, Economic Development and Construction Act 2009 and the Localism Act 2011 and on the nature of the relationship between scrutiny and the partner organisation.]

3. I am fully supportive of the merger of the Health Scrutiny and Adult Social Care Scrutiny Committees. I am also fully supportive a new Scrutiny Committee to deal with Housing, Economy and Infrastructure matters.
(Scrutiny Assembly)
4. With regards to the Scrutiny Committee Structure, my view is that the suggested mergers are appropriate as I have seen first hand where there are lap overs and duplication.
(Town & Parish Clerk)
5. ...as an informal response I cannot see that our members would have any objections to the proposed revised scrutiny structure.
(Town & Parish Clerk)

6. On the changes proposed to the Committee structure, they have no amendments to propose and are happy with them.
(Town Council)