

<b>NAME OF COMMITTEE</b>	<b>Annual Council</b>
<b>DATE</b>	<b>19 May 2015</b>
<b>REPORT TITLE</b>	<b>ROLES AND RESPONSIBILITIES OF THE OVERVIEW AND SCRUTINY COMMITTEES POST MAY 2015</b>
<b>Report of</b>	<b>The Democratic Services Manager</b>
<b>WARDS AFFECTED</b>	<b>All</b>

**Summary of report:**

To consider a report that seeks Council approval to agree the principle of how the roles and responsibilities are divided between the two newly established Overview and Scrutiny Committees.

**Financial implications:**

There are no significant financial implications arising from this report.

**RECOMMENDATION:**

That, with immediate effect, the Council **RESOLVES** that the Council Constitution be amended to reflect that:

1. Overview and Scrutiny Committee 'A' and Overview and Scrutiny Committee 'B' be known as the 'Overview and Scrutiny (Internal) Committee' and the 'Overview and Scrutiny (External) Committee' respectively, with the broad terms of reference (as presented at Appendix A) being approved;
2. the Audit Committee convene its meetings on the same day as the Overview and Scrutiny (External) Committee meetings are held, with the consequent minor adjustments to the Calendar of Meetings being made in consultation with the two Committee Chairmen; and
3. the roles of Audit Committee Chairman and either of the Overview and Scrutiny Committee Chairmen should not be allocated to the same Member.

**Officer contact:**

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## **1. BACKGROUND**

- 1.1 At its meeting on 9 December 2014, the Council considered a report that presented the conclusions of the Political Structures Working Group in relation to the future governance structure for the Council.
- 1.2 The Council subsequently agreed that a Hub Committee and two Overview and Scrutiny Committees should be established with effect from May 2015 (Minute CM 65 refers).
- 1.3 The report also recognised that the terms of reference for the two Committees would be drafted 'prior to the annual review of the Constitution being agreed' (meeting summons item 9 refers). In so doing, it was felt that consideration must be given to how the maximum benefits of the Overview and Scrutiny function can be realised for the Council.
- 1.4 The draft proposals (as outlined below) are being presented following informal consultation with some senior Members.

## **2. ISSUES FOR CONSIDERATION**

### **Draft Terms of Reference – Overview and Scrutiny Committees**

- 2.1 It is recommended that both Overview and Scrutiny Committees should retain the ability to develop and review policy and scrutinise the work of the Hub Committee and its Members. This is important in light of the Calendar making provision for four meetings of each Committee (on an alternate basis) and the frequent requirement for decisions to be made on a timely basis.
- 2.2 In terms of how specific roles and responsibilities can be divided between the two Overview and Scrutiny Committees, it is suggested that this can be undertaken by virtue of the Committees having an internal and external focus respectively. The internal Committee would be responsible for considering and scrutinising how the Council is performing as an organisation (e.g. performance, culture and internal policies), whereas the external Committee would be responsible for considering and focusing on the impact the Council and its partners are making on our customers and communities (e.g. the Local Enterprise Partnership, Housing Associations and the Community Safety Partnership).
- 2.3 In line with the openness agenda and the drive to increase public involvement and awareness in the decision-making process, it is also recommended that the Committees procedure rules include provision for members of the public to be able to ask questions and raise issues at Committee meetings.
- 2.4 To reflect these recommendations, the draft terms of reference are outlined at Appendix A. In addition, the Council is reminded that the Monitoring Officer has the ability to exercise her delegated authority in order to make any further necessary minor amendments to the terms of reference in the Council Constitution before the first meeting of each Committee.

## **The Relationship between the Audit Committee and the Overview and Scrutiny Committees**

- 2.5 It is recognised that there will be close links between the Overview and Scrutiny Committees and the Audit Committee.
- 2.6 To further reinforce this close relationship, it is recommended that meetings of the Overview and Scrutiny (External) Committees should be held on the same day as the Audit Committee, with Audit Committee meetings taking place in the morning and the Overview and Scrutiny (External) Committee meetings being held in the afternoon. This proposal will require some minor adjustments to be made to the Calendar of Meetings and it is recommended that these be undertaken in consultation with the two relevant Committee Chairmen.
- 2.7 Whilst recognising the relationship, there will still be a distinct separation of duties between the three Committees. As a consequence, it is felt important for three different Members to be appointed to the Chairman role of these three Committees.

### **3. RISK MANAGEMENT**

- 3.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

### **4. OTHER CONSIDERATIONS**

<b>Corporate priorities engaged:</b>	All
<b>Statutory powers:</b>	Local Government Act 2000
<b>Considerations of equality and human rights:</b>	None directly related to this report
<b>Biodiversity considerations:</b>	None directly related to this report
<b>Sustainability considerations:</b>	None directly related to this report
<b>Crime and disorder implications:</b>	None directly related to this report
<b>Background papers:</b>	The Council Constitution; and Council Summons and Minutes from 9 December 2014 meeting.
<b>Appendices attached:</b>	Appendix A: Overview and Scrutiny Committees – Draft Terms of Reference

## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership	
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Failure of Council to reach a decision	It will be incredibly difficult for the critical role of the Overview and Scrutiny function to be undertaken without the Council being able to approve a clearly defined division of the roles and responsibilities of its two Committees.	4	1	4	↔	Informal consultation has taken place with senior Members prior to this report being prepared and presented.	Head of Paid Service / Democratic Services Manager

Direction of travel symbols ↓ ↑ ↔