

OVERVIEW AND SCRUTINY – TWO COMMITTEE STRUCTURE

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SUMMARY: The report recommends the introduction of one Internal Overview and Scrutiny Committee and one External Overview and Scrutiny Committee with an informal co-ordinating group on which the Chairs and Deputy Chairs sit. The report also recommends Terms of Reference for both committees.

RECOMMENDATIONS

1. That the two committee Overview and Scrutiny structure of one Internal Overview and Scrutiny Committee and one External Overview and Scrutiny Committee is agreed
2. That the terms of reference for the Internal Overview and Scrutiny Committee at 3.2 are agreed
3. That the terms of reference for the External Overview and Scrutiny Committee at 3.3 are agreed
4. That an informal co-ordinating group made up of the Chairs and Deputy Chairs of each committee is established and its remit at 4.1 is agreed
5. That the structure is implemented with immediate effect
6. That Members of both Overview and Scrutiny Committees undergo relevant training
7. A review of the new structure take places in 12 months
8. That the Independent Remuneration Panel be asked to advise on appropriate remuneration

1. INTRODUCTION/BACKGROUND

- 1.1 At its meeting on 13 April 2010, Full Council agreed to reduce the Overview and Scrutiny structure from four committees to two. They also agreed a set of new Overview and Scrutiny protocols.
- 1.2 This decision followed a comprehensive review of the Overview and Scrutiny structure over previous months which culminated in a Scrutiny Forum on 26 March 2010. A further Scrutiny Forum on Friday 14 May 2010 considered the options for two Overview and Scrutiny Committees and possible terms of reference. At the Scrutiny Forum, Members attending reached a consensus that one Internal facing Overview and Scrutiny Committee (OSC) and one External facing OSC was the most appropriate structure for the Council's Overview and Scrutiny function at this time. Members also determined there was a need for an informal co-ordinating group and this ought to be made up of the Chairs and Deputy Chairs of both committees.
- 1.3 The new arrangements will assist the Council's Overview and Scrutiny function in meeting its priorities and provide a focused approach which improves service delivery and positive outcomes for residents

2. THE INTERNAL OSC AND EXTERNAL OSC OPTION

- 2.1 Members attending the Scrutiny Forum considered three options for a two committee Overview and Scrutiny along with draft terms of reference for each. The draft recommendations are available as part of the background papers to this report. These were:

- a) One Overview Committee and One Scrutiny Committee
- b) One Policy Committee and One Performance Committee
- c) One Internal Committee and One External Committee

- 2.2 Members expressed a preference for one Internal OSC and one External OSC. This was identified as the favourable option because:

- It was regarded as being able to support a large internal overview and scrutiny agenda as well as an external agenda with an emphasis on strong partnership working
- It builds on the experience Members already have
- Members would find it less restrictive than the other options
- Cross cutting issues could be shared
- It enables a more flexible approach to Overview and Scrutiny

3. TERMS OF REFERENCE FOR AN INTERNAL OSC AND AN EXTERNAL OSC

- 3.1 Members felt it was important that the terms of reference were clear and allowed for flexibility. They particularly wanted the Committees to be able to support each other in their work load as and when this is required.

Members proposed that the following terms of reference apply:

3.2 The Internal OSC will:

- Normally scrutinise services delivered by the Council
- Scrutinise the budget process
- Scrutinise the development of the Corporate Planning process and any other key strategy
- Hold the Executive to account by keeping the Forward Plan under review and reviewing decisions
- Monitor the implementation of any Overview and Scrutiny recommendations accepted by the Executive
- Scrutinise performance issues within the Council and make recommendations for service improvements
- Scrutinise the results and issues arising from external inspections of Council services
- Review issues of local concern
- Appoint Improvement Groups as necessary to carry out detailed Overview and Scrutiny work
- Finally, work commenced by this committee will be completed by this committee

3.3 The External OSC will:

- Normally scrutinise services delivered by the Council in partnership with another body including regeneration and housing partnerships
- Scrutinise locality working and partnership working arrangements including the Local Strategic Partnership
- Scrutinise other decision makers where their decisions affect the Borough including the Copeland Local Area Committee, Cumbria Association of Local Councils, the Lake District National Park and major regeneration organisations and funders
- Scrutinise the West Cumbria Community Safety Partnership and act as the Crime and Disorder Committee
- Contribute to statutory obligations in relation to scrutiny of health issues
- Review issues of local concern
- Appoint Improvement Groups as necessary to carry out detailed Overview and Scrutiny work
- Finally, work commenced by this committee will be completed by this committee

4. THE INFORMAL CO-ORDINATING BOARD

4.1 Members considered an informal co-ordinating group necessary and that this should be made up of the Chairs and Deputy Chairs. Members proposed that the co-ordinating group should have the following remit;

The informal co-ordinating group made up of the Chairs and Deputy Chairs will:

- Liaise with the Executive and the Corporate Management Team

- Act as a communicating body generally and between the two committees including overview of the work programmes and priorities to avoid duplication and contribute to the efficient running of the business.
- Report to the Committees on their work between committee meetings.

5. THE CONSTITUTION

The rules and procedures around Overview and Scrutiny have been amended to reflect the changes. These will be contained within Chapter 8 of the new Constitution which is subject to Council approval on 24 June 2010. The new rules and procedures are attached at Appendix 1 to this report.

6. IMPROVEMENT GROUPS

6.1 Both OSCs will appoint Improvement Groups (formerly referred to as Task and Finish Groups). Improvement Groups will carry out detailed pieces of Overview and Scrutiny work in an allocated period of time and will report to the relevant OSC.

6.2 Improvement Groups will be chaired by a Member sitting on the OSC but will provide an opportunity for all Members to contribute to the Overview and Scrutiny process. The Overview and Scrutiny Improvement Group Protocol provides guidelines for the operation of Improvement Groups and is available as part of the background papers to this report and on the Council's website.

7. CONCLUSION

7.1 This structure and its terms of reference represents a consensus among Members which has been arrived at following a comprehensive and inclusive review of Overview and Scrutiny at the Council. The new structure is needed in order for the Overview and Scrutiny function to move forward and make progress in meeting its priorities and the challenges and demands expected of it, as soon as possible.

Background Papers:

Report of the Overview and Scrutiny Management Committee to Full Council on 13 April 2010

Programme and supporting documentation to the Scrutiny Forum on 14 May 2010

Notes of the Scrutiny Forum circulated to all Members on 18 May 2010

MEMBERSHIPS FOR 2010/2011

EXECUTIVE

Leader (Finance & Strategic Nuclear) – Councillor E Woodburn
Deputy Leader (Housing & Customer Services) – Councillor G Clements
Development Operations - Councillor G Blackwell
Performance & HR - Councillor J Bowman
Leisure, Culture & Youth - Councillor H Branney
Development Strategy - Councillor C Giel
Environment & Sustainability - Councillor A Holliday
Health, Legal & Democratic Renewal - Councillor N Williams

SHADOW EXECUTIVE

Leader (Finance & Strategic Nuclear) – Councillor D Moore
Deputy Leader (Housing & Customer Services) – Councillor A W M Norwood
Development Strategy - Councillor C Whiteside
Development Operations - Councillor A Jacob
Performance & HR - Councillor K Hitchen
Leisure, Culture & Youth - Councillor A Mossop
Health, Legal & Democratic Renewal - Councillor Y R T Clarkson
Environment & Sustainability - Councillor D Wilson

PERSONNEL PANEL

Councillors: R Pitt (Chairman)
H Branney
P Whalley
N Williams
3 Vacancies - Conservative

LICENSING COMMITTEE

Councillors: P Tyson (Chairman)
D Banks
R S Cole
Mrs M D Docherty
S Meter
W Metherell
J Prince
R Salkeld
G Scurrah
P Whalley
A Wonnacott
M Woodburn

TAXI AND GENERAL LICENSING PANEL

Councillors: P Tyson (Chairman)
R Cole
D Banks
J Prince
R Salkeld
M Woodburn
A Wonnacott

JOINT CONSULTATIVE & SAFETY PANEL

Councillors: F Gleaves
R Heathcote
A Mossop
J Park
J Prince
P Whalley
E Woodburn

NUCLEAR WORKING GROUP

Councillors: A Holliday
D K Banks
B Dixon
D W Moore
A W M Norwood
Miss E M Woodburn
H Wormstrup

PLANNING PANEL

Councillors: W Southward (Chairman)
Mrs M Docherty(Deputy Chairman)
G Blackwell
Mrs E Eastwood
G Garrity
Mrs J I Hully
A Jacob
J Jackson
J Park
P Tyson
D Wilson
Substitutes: B Salkeld
Mrs J Williams

STANDARDS COMMITTEE

Councillors: N Clarkson
Mrs M Docherty
G Garrity
D Moore
R Salkeld
P Watson
Mrs M Woodburn

Independent Members:

Dr S Bradley (D/Chairman)
Mr A Payne
Mrs P Routledge

Parish Members:

Mr R Stewart
Mr V Chilton

Substitute Parish Member:

Ms S Brown

RESOURCE PLANNING WORKING GROUP

Councillors: Leader of the Council
A Holliday
J Bowman
D Moore
A W M Norwood
P Watson
Mrs J Williams

LOCAL DEVELOPMENT FRAMEWORK WORKING PARTY

Councillors: P Connolly
G Blackwell
Mrs M Docherty
W Southward
C Whiteside
F Gleaves
R Heathcote

PARISH REVIEW WORKING PARTY

Councillors: N Williams
G Clements
P Connolly
F Gleaves
R Heathcote
A Jacob
P Tyson

AUDIT COMMITTEE

Councillors: **Mr M Bonner (Independent Chair)**
G Sunderland (Deputy Chair)
P C Connolly
Mrs J Hully
T J Knowles
M McVeigh
G Scurrah
D Wilson

STRATEGIC HOUSING PANEL

Councillors: J Bowman
G Clements
J Jackson
A Jacob
R Pitt
G Sunderland
Mrs C Watson

MEMBER DEVELOPMENT PANEL

Councillors: J Bowman
J Kane
M McVeigh
C Watson
E Eastwood
A Mossop
K Hitchen

OSC 1 (Internal)

Councillors: Y R T Clarkson (Chairman)
J Kane (Deputy Chairman)
B Dixon
Mrs E Eastwood
Mrs A Faichney
J Park
R Pitt
C Whiteside
Mrs J Williams

OSC 2 (External)

Councillors: G Garrity (Chairman)
K Hitchen (Deputy Chairman)
D Banks
S Meteer
Mrs W Metherell
A Mossop
B Salkeld
Mrs M Woodburn
H Wormstrup

LICENSING SUB COMMITTEES

Membership of 4 Licensing Sub Committees, of 3 Members each, to be taken from the Licensing Committee on a rota basis subject to availability and eligibility, with reserve membership being taken from any member of the Licensing Committee, and any such sub committee for the purpose of hearings before it is deemed to be appointed by the Licensing Committee under Section 10 of the Licensing Act 2003 and Section 154 of the Gambling Act 2005. Licensing Sub Committee Chairs to be appointed by Licensing Committee.