

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 24th June 2010
Report of: Democratic Services Manager
Subject/Title: Overview and Scrutiny Working Arrangements

1.0 Report Summary

- 1.1 To seek amendments to the Constitution to recognise the re-alignment of Overview and Scrutiny Committees with the new portfolios reported at Council on 13th May 2010 and to agree to changes to the Constitution as it relates to the role of the Scrutiny Chairmen's Group (SCG).

2.0 Recommendations

2.1 That

- (1) the content of this report be noted;
- (2) the new overview and scrutiny remits be recommended to Council for approval, and the Constitution be amended accordingly; and
- (3) the role of the Scrutiny Chairmen's Group in relation to resolving conflict, resolving cross-cutting issues and reviewing work programmes and workloads be recognised and Council be recommended to authorise the Borough Solicitor to make appropriate reference to this role in the Constitution.

3.0 Reasons for Recommendations

- 3.1 By simplifying the reporting arrangements between portfolio holders and overview and scrutiny committee responsibilities, there will be greater clarity for Officers and Members. Co-ordination of the work of overview and scrutiny committees is a key element of managing work programmes.

4.0 Wards Affected

- 4.1 N/A

5.0 Local Ward Members

- 5.1 N/A

6.0 Policy Implications including - Climate change - Health

- 6.1 The Constitution sets out the procedures by which the Council policy is set. Any proposed changes to the Constitution would need to align with the requirements of legislation which often stipulates the Council decision-making route associated with the adoption of policies.

7.0 Legal Implications

- 7.1 Any changes to the Constitution would need to be agreed by Council, following a recommendation from the Constitution Committee. Proposed changes would need to align with any statutory requirements.

8.0 Risk Management

- 8.1 There are no identifiable risks.

9.0 Background and Options

Scrutiny Committee Remits

- 9.1 Chairmen and Vice-Chairmen of the 5 overview and scrutiny committees meet informally on a monthly basis as the Scrutiny Chairs Group (SCG) to review the work of the Scrutiny function. In April of 2009, the SCG put forward suggestions to define the scope of Overview and Scrutiny activity for each committee, based on the responsibilities listed in the Constitution for the 9 Portfolio Holders. Each committee was subsequently allocated a remit based on the recommendations of the SCG. It has become clear during the intervening 12 months that the remits need refining, as some Portfolio Holders were being asked to attend more than one committee, and the recent changes to portfolios announced by the Leader of the Council provided an ideal opportunity to undertake this task.
- 9.2 The SCG has attempted to improve clarity and accountability and to simplify matters by seeking to ensure that Portfolio Holders are responsible to only one O&S committee each. This has been achieved in 8 out of 9 portfolios, the only exception being Health and Wellbeing which will be divided by health matters being dealt with by the Health and Adult Social Care Committee and wellbeing being dealt with by Corporate. In this case, the Portfolio Holder has been consulted and is content with the proposed arrangements.

The new overview and scrutiny arrangements supported by the SCG are as follows:

COMMITTEE	PORTFOLIOS	PORTFOLIO HOLDER
Corporate	Resources	Cllr F Keegan
	Procurement, Assets and Shared Services	Cllr P Mason
	Health and Wellbeing	Cllr A Knowles
Children and Families	Children and Family Services	Cllr H Gaddum
Health and Adult Social Care	Health and Wellbeing	Cllr A Knowles
	Adult Services	Cllr R Domleo
Sustainable Communities	Safer and Stronger Communities	Cllr R Bailey
	Performance and Capacity	Cllr D Brown
Environment and Prosperity	Environmental Services	Cllr R Menlove
	Prosperity	Cllr J Macrae

The Scrutiny Chairs Group

- 9.3 The role of the SCG is to drive forward the Overview and Scrutiny function. Members of the group have recognised that it plays a key role in resolving potential areas of conflict /duplication and deciding upon which committee will take the lead on cross cutting issues. The SCG is forging a crucial role acting as a sounding board for matters of common interest across all O&S Committees, including new legislation and best practice. It also monitors progress with work programmes and reviews work loads. It is considered that its role in dealing with all of the above matters should be formally acknowledged in the Council's constitution.

10.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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