

AGENDA ITEM

**REPORT TO
COUNCIL**

26 MARCH 2008

CABINET RECOMMENDATIONS TO COUNCIL

PROPOSED REVISION TO SELECT COMMITTEE STRUCTURE AND TERMS OF REFERENCE

Members will be aware that Cabinet, at its meeting held on 13th March 2008, considered a report relating to a proposed revision to the Council's select committee structure and terms of reference. The report considered by Cabinet is available on the e genda system.

As part of its discussions at a recent Away Day, the Executive Scrutiny Committee gave consideration to a number of Scrutiny Structure and Constitutional issues arising from its review of scrutiny activities over the past year; with a view to considering whether any improvements could be introduced into scrutiny arrangements for the future. Reference was made at the meeting to the existing terms of reference of the Executive Scrutiny Committee and Select Committees, as set out in Article 6 of the Council's Constitution.

Executive Scrutiny noted the inability of the Adult Services and Health Select Committee in being able to fulfil its responsibilities for the scrutiny of Adult Services as a result of its workload being taken up entirely in scrutinising local health issues and the health service. It was therefore felt that given the likely development of this workload in accordance with regulations under Section 7 of the Health & Social Care Act 2001 and Section 31 of the Health Act 1999, there was no alternative other than to request Council to consider amending the Constitution to allow scrutiny responsibility for Adult Services to be removed from the Adult Services & Health Select Committee and transferred to the remit of the Corporate and Social Inclusion Select Committee. It was felt that the broad remit of this Committee; together with its emphasis towards social inclusion, offered itself to be the most appropriate Committee for assuming this responsibility.

In addition, the Executive Scrutiny Committee also considered its responsibilities to prioritise, develop and co-ordinate the scrutiny work programme, ensuring that there was efficient use of the Select Committees' time, whilst being mindful of the emerging corporate priorities. The Committee suggested that there was a need to introduce greater flexibility to allow Select Committees to respond to Council priorities where required, by extending their remits beyond their own thematic area so as to be in a position to be able to consider requests from the Executive Scrutiny Committee to carry out a scrutiny review of 'any other matter considered to be appropriate that reflects the corporate priorities'. This was considered especially important given the potentially increasing workload of Select Committees arising from new legislative requirements and referrals. A more flexible approach would help to create capacity within the work programme.

Cabinet considered a document that highlighted the effects of both of the proposals.

RECOMMENDED to Council that:-

1. Scrutiny responsibility for Adult Services be removed from the Adult Services & Health Select Committee and be transferred to the remit of the Corporate and Social Inclusion Select Committee, and Article 6 of the Council's Constitution be amended accordingly.
2. The proposed extension of the remit of the Select Committees identified at Appendix 2 in the report to Cabinet be approved and Article 6 of the Council's Constitution be amended accordingly.