

Public Report

Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Review of the Constitution – Overview and Scrutiny
Meeting/Date: Corporate Governance Panel – 14th May 2014
Executive Portfolio: Councillor T D Sanderson – Executive Councillor for Strategic Economic Development and Legal
Report by: Head of Legal and Democratic Services
Wards affected: All

Executive Summary:

At its last meeting the Panel received a report on the Constitution. The report referred to the fact that the Overview and Scrutiny Panels are reviewing their structure and the way they operate. This work has progressed and, as a result, changes to the Constitution are necessary. The recommended changes will give the Panels the flexibility to make adjustments to their remits as circumstance change.

Recommendation:

That Section 1 of ARTICLE 6 - OVERVIEW AND SCRUTINY is deleted to be replaced by:

1. TERMS OF REFERENCE OF OVERVIEW AND SCRUTINY PANELS

The Council will appoint up to four Overview and Scrutiny Panels to discharge the functions conferred by Section 21 of the Local Government Act 2000.

1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 This report contains a recommendation that the Constitution is amended in relation to the allocation of the Overview and Scrutiny Panels' remits to provide the Panels with the flexibility to adjust the way they work as circumstances change.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Overview and Scrutiny Panels' remits are prescribed in the Constitution. The Panels are in the process of reviewing their remits and the way they work. The review has not yet finished. The proposed change will give the Panels the flexibility to adjust the way they work as circumstances change. This is considered to be necessary because there could potentially be changes to the structure of the Cabinet, the key activities to be undertaken in connection with the Corporate Plan in 2014/15 have not been finalised and the Council is in a state of change.
- 2.2 The new arrangements will permit the Panels to change their remits without the need to amend the Constitution.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 The Panels are in the process of considering all options. This change will allow them to adopt the most appropriate one.

4. KEY IMPACTS/RISKS? HOW WILL THEY BE ADDRESSED?

- 4.1 There is a risk that the Panels do not fulfil their roles in:
- providing "critical friend" challenge to executive policy-makers and decision-makers;
 - enabling the voice and concerns of the public and its communities;
 - act as "independent minded governors" who lead and own the scrutiny process, and
 - driving improvement in public services.
- 4.2 The process of review is intended to improve the Panels' ability to undertake these roles.
- 4.3 There is also the risk that the Panel's roles / remits will not be clear. This will be agreed at the first meetings of the new Municipal Year.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 5.1 The Overview and Scrutiny Panels are close to completing their review. They annually receive a report at their meetings in June on their remits and roles. It is intended that remits will be agreed at these meetings.

6. LINK TO THE LEADERSHIP DIRECTION

- 6.1 The new remits will be informed by the new Corporate Plan and a substantial part of their work will be focussed on it and on holding the executive to account for its achievement.

7. CONSULTATION

- 7.1 The Chairmen of the Corporate Governance Panel, the Employment Panel and the Standards Committee have been consulted. The Executive Leader, Deputy Executive Leader and Managing Director have also been involved in the review process.

8. LEGAL IMPLICATIONS

- 8.1 There are no legal implications because the existing remits will be redistributed. There will be no change to their extent.

9. FINANCIAL IMPLICATIONS

- 9.1 All direct costs will be met from within current resource.

10. REASONS FOR THE RECOMMENDED DECISIONS

- 10.1 The Overview and Scrutiny Panels need to improve the way they work. They also need to change their remits to reflect the form and operation of the Council. The review of operation and the Council's structural change are ongoing and the recommendation will allow the necessary changes to be made with more ease.

11. LIST OF APPENDICES INCLUDED

None.

BACKGROUND PAPERS


Report and Minutes of the meeting of the Corporate Governance Panel held on 30th April 2014.

Notes of meetings of the advisory group comprising the Chairmen and Vice-Chairmen of the Overview and Scrutiny Panels held on 20th March and 30th April 2014.

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CONTACT OFFICER

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