



CABINET REPORT

Report Title	Countywide Scrutiny Arrangements
---------------------	---

AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	3 rd March 2010
Key Decision:	NO
Listed on Forward Plan:	YES
Within Policy:	YES
Policy Document:	YES
Directorate:	Chief Executive
Accountable Cabinet Member:	Councillor Brian Hoare
Ward(s)	All

1. Purpose

- 1.1 To present for adoption the final Terms of Reference and Procedure Rules for the Northamptonshire Overview and Scrutiny Board, a copy of which is attached at Appendix A.
- 1.2 All member organisations will consider the Terms of Reference and Procedural Rules. Details of all participating organisations are listed in Section 2 of the Terms of Reference. As soon as the Terms of Reference and Procedural Rules have been adopted by all member organisations, the Board can be formally constituted and take on its role.

2. Recommendations

- 2.1 To recommend to Council the adoption of the Terms of Reference and Procedural Rules governing involvement in countywide overview and scrutiny arrangements.
- 2.2 To recommend that Council nominates Northampton Borough Council's representatives onto the Board.

3. Issues and Choices

3.1 Report Background

- 3.1.1 The process to produce Terms of Reference has been led by a five-member Countywide Constitution Working Group, which has proved to be a useful forum, and provides much encouragement for cross-organisation scrutiny work in the future.
- 3.1.2 Councillor Jamie Lane was a member of this Working Group and the Council's Scrutiny Officer was also involved in the production of the draft Terms of Reference.
- 3.1.3 The Northamptonshire Overview and Scrutiny Board approved the Terms of Reference at its meeting of 28th January 2010 and requested that they be considered by all the member organisations.
- 3.1.4 The Northamptonshire Overview and Scrutiny Board derives any authority it has from the member organisations, therefore there is a need for each member organisation to approve the Terms of Reference. It should be noted that authority would come from various areas of the member organisations, which are all set up in different ways. The powers to require attendance are included in the Terms of Reference. There is a clear commitment to avoid the use of this power, wherever possible, as this is not the spirit in which the Board was set up.
- 3.1.5 Once the Northamptonshire Overview and Scrutiny Board has been established, its meetings will be held in public and usual regulations around public meetings will be followed.
- 3.1.6 It is emphasised that the Northamptonshire Overview and Scrutiny Board will not replace any existing Overview and Scrutiny Committees within the county but will enable cross county working on issues of countywide importance. Section 21 of the Local Government Act 2000 requires the establishment of one or more Overview and Scrutiny Committees for the adoption of executive arrangements for individual Councils.
- 3.1.7 The focus of the Northamptonshire Overview and Scrutiny Board will be broad. An important feature will be to hold the Public Service Board to account. The Public Service Board comprises Leaders and Deputy Leaders of the member authorities and others.
- 3.1.8 The Northamptonshire Overview and Scrutiny Board is currently carrying out a Review into drug rehabilitation.

3.2 Issues

- 3.2.1 This process is an important step towards setting up the Northamptonshire Overview and Scrutiny Board as an established body with powers and

responsibilities. The Terms of Reference and Procedural Rules are therefore recommended for approval.

3.3 Choices (Options)

3.3.1 There are three options for consideration: -

3.3.1.1 To approve the Terms of Reference for the Northamptonshire Overview and Scrutiny Board, as recommended at paragraph 2.1.

3.3.1.2 To agree not to sign up to the Terms of Reference, which would have implications on the establishment of the Northamptonshire Overview and Scrutiny Board.

3.3.1.3 To recommend amendments to the Terms of Reference for the Northamptonshire Overview and Scrutiny Board. Any suggested recommendations would have to be considered by the Northamptonshire Overview and Scrutiny Board.

4. Implications (including financial implications)

4.1 Policy

4.1.1 The Northamptonshire Overview and Scrutiny Board will not have an impact upon the work of Northampton Borough Council's Overview and Scrutiny function. The work of Overview and Scrutiny at Northampton Borough Council plays a major part in the development of the Council's policy framework through its work programme. The structure and remit of the Overview and Scrutiny Committee and Scrutiny Panels is important in supporting the delivery of the Council's corporate objectives.

4.2 Resources and Risk

4.2.1 Travelling and other expenses will be incurred by Members and Officers attending meetings of the Northamptonshire Overview and Scrutiny Board.

4.2.2 All other costs will be contained from within existing budgets.

4.2.3 Time commitments will be also placed on Members and Officers attending meetings of the Northamptonshire Overview and Scrutiny Board, which are currently set at a minimum of four times per year.

4.2.4 The report is asking the Council to approve the Terms of Reference and Procedural Rules for the Northamptonshire Overview and Scrutiny Board and it is not required to make a financial contribution to these arrangements.

4.3 Legal

4.3.1 The legal implications to the establishment of the Northamptonshire Overview and Scrutiny Board are detailed in paragraphs 3.1.3 and 3.1.4.

4.4 Equality

- 4.4.1 Effective countywide scrutiny should, amongst other things, contribute to improved equality and diversity issues.

4.5 Consultees (Internal and External)

- 4.5.1 The Head of Legal and democratic Services, Corby Borough Council, was consulted and provided comment on each version of the draft Terms of Reference for the Northamptonshire Overview and Scrutiny Board.
- 4.5.2 Councillor Jamie Lane and the Council's Scrutiny Officer were part of the Working Group that was set up to produce draft Terms of Reference and Procedural Rules for the Northamptonshire Overview and Scrutiny Board.
- 4.5.3 Councillor John Yates, Chair, Overview and Scrutiny Management Committee, and Councillor Jamie Lane, Chair, Overview and Scrutiny Committee 3, are the members of the Northamptonshire Overview and Scrutiny Board.
- 4.5.4 The Overview and Scrutiny Management Committee, at its meeting on 29th September 2009, received a copy of the draft Terms of Reference and Procedural Rules for the Northamptonshire Overview and Scrutiny Board.
- 4.5.5 The Borough Solicitor has been consulted upon the Terms of Reference and Procedural Rules for the Northamptonshire Overview and Scrutiny Board.

4.6 How the Proposals deliver Priority Outcomes

- 4.6.1 The Northamptonshire Overview and Scrutiny Board is an excellent example of joint working.

4.7 Other Implications

- 4.7.1 None.

5. Background Papers

- 5.1 Minutes of the meeting of Northamptonshire Overview and Scrutiny Board – 28th January 2010.
- 5.2 Minutes of the meeting of the Overview and Scrutiny Management Committee- 29 September 2009.

Report Author: Tracy Tiff, Scrutiny Officer, extension 7408