

Committee: SCRUTINY COMMITTEE

Agenda Item

Date: 9 November 2005

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Title: **IMPLEMENTATION OF NEW
CONSTITUTION**

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Item for decision

Summary

The report advises the Committee of the need to report back to the Full Council at its meeting on 13 December on implementation of the new Constitution. It makes a number of recommendations to assist the new Review and Petitions Committee with its work.

Recommendations

- 1 Scrutiny investigations into Climate Change and Fees and Charges transfer to the Review and Petitions Committee.
- 2 That the newly created Review and Petitions Committee allocate Members to the investigations where committee membership changes have occurred.
- 3 The Review and Petitions Committee consider new ways of working to reinforce and support the scrutiny function.

Background Papers

The following papers were referred to in the preparation of this report.

- 1) Council Constitution adopted 18 October 2005
- 2) Relevant minutes of the Scrutiny 1 and Scrutiny 2 committees

Impact

Communication/Consultation	Consultation has been carried out on the original constitutional review. Changes to the scrutiny function will be communicated to the public more widely and explicitly in due course.
Community Safety	None.
Equalities	None.
Finance	There are no specific finance issues associated with changes to the scrutiny function.
Human Rights	None.

Legal Implications	The scrutiny function will transfer to the Reviews and Petitions Committee.
Ward Specific Impacts	All.
Workforce/Workplace	The constitutional change is not expected to impact on workforce issues in relation to the scrutiny function.

Situation

- 1 This report is presented to the Committee to ensure a smooth transition from the present two committee scrutiny function to the new Review and Petitions Committee.
- 2 Scrutiny functions will transfer to the new Review and Petitions Committee, with overview for performance issues vested in the new Performance Select Committee.
- 3 A new element of the Review and Petitions Committee will be the receipt of petitions. The new Committee may also need to allocate time to issues arising from the Area Panels.
- 4 The Review and Petitions Committee will continue to provide health scrutiny.

Current Scrutiny Investigations

- 5 Both Scrutiny Committees set outline work programmes at the outset of the civic year. However, due to the constitutional review and other external factors, both committees have limited the scrutiny work initiated to date.
- 6 At the present point in time there are two significant scrutiny investigations in progress:
 - Climate Change
 - Fees and Charges
- 7 It is proposed that these investigations should transfer to the Review and Petitions Committee together with the scoping documentation and work completed to date.
- 8 The Review and Petitions Committee will need to ensure that both investigations have sufficient Members allocated to each to continue their work effectively.

Other Issues

9 It is suggested that the new Review and Petitions Committee seek to establish effective scrutiny methods as part of its new work programme. In particular it is recommended that the Committee consider:

- Holding an annual scrutiny workshop to generate topics for longer term investigation
- Training necessary for Members to take a more central role as participants and supporters of effective scrutiny
- Revised working methods such as more informal meetings, different documentation etc to distinguish scrutiny from other elements of the council's work.

Risk Analysis

10 The following have been assessed as the potential risks associated with the issues.

Risk	Likelihood	Impact	Mitigating Actions
Committee overburdened with petitions	Low	High	Petitions may be transferred to the most appropriate and timely committee.
Committee overburdened with scrutiny issues and/or call-in	Low	High	Setting a clear work programme at the outset of the year and reviewing as necessary throughout the year
Insufficient lead of scrutiny by Members	Medium	High	Carry out appropriate training with new Committee, and review working methods