

COMMITTEE: COUNCIL

DATE: 4TH NOVEMBER 2008

SUBJECT: PROPOSED SCRUTINY COMMITTEE REMITS AND CONSTITUTION

REPORT BY: CHIEF EXECUTIVE (HEAD OF LOCAL DEMOCRACY)

CONTACT OFFICER: MATT HUSSEY 01582 546032

IMPLICATIONS:

LEGAL	✓	COMMUNITY SAFETY
EQUALITIES		ENVIRONMENT
FINANCIAL	✓	CONSULTATIONS
STAFFING		OTHER

WARDS AFFECTED: NONE

PURPOSE

1. The purpose of this report is to submit to the Council a recommendation of Constitution Committee arising from its meeting held on 2nd October 2008.

RECOMMENDATION(S)

2. Council is recommended to approve:
 - (i) that, subject to the deletion of the Performance Resources and Assets Scrutiny Committee, the proposed re-organisation of the Scrutiny remits and constitutions as shown at Appendix C to bring them in line with the themes of the Luton Forum as the Local Strategic Partnership, be adopted.
 - (ii) that the functions of the current Performance Resources and Assets Scrutiny Committee be included within the Terms of Reference of the Scrutiny Board.

- (iii) that the Scrutiny board be responsible for dealing with all Executive decisions under the Council's Call – In Procedures.**
- (iv) that the Scrutiny Board be requested to establish annually a Task and Finish Sub-Group to deal with the budget process.**

BACKGROUND

- 3. The Government has extended the remit of local authority scrutiny so that since April 2008 the Council has the power to call to account most public service bodies in relation to the delivery of public service in the town.
- 4. The vehicle for this is the Local Area Agreement, which sets out the priorities for the area for the next three years and sets agreed targets for improvement against a selected set of performance indicators for each year.
- 5. The Local Area Agreement for 2008-11 has been finalised and signed by the Secretary of State. It obliges the Council and all of the public service delivery agencies named as partners in the agreement to co-operate with each other and to work together to deliver the targets set out in the agreement. The targets have been based on improvement plans drawn up by the Council and its partners for each indicator so that progress as well as performance can be monitored.
- 6. The Comprehensive Performance Assessment of local authorities by the Audit Commission, working with other inspectorates is being superseded by a Comprehensive Area Assessment that will use our own self-assessment to make judgements about the likelihood of the targets for improvement being achieved. This assessment will therefore relate to the local strategic partnership and how well the Council is working with its partners to deliver on the local area agreement.

REPORT

- 7. At its meeting on 26th June 2008, the Scrutiny Board considered a report of the Director of Scrutiny which proposed the re-organisation of the remits of Scrutiny Committees in line with the themes of the Luton Forum.
- 8. The detail of the proposed changes and the new Terms of reference proposed for each Committee were considered at that meeting, as set out at Appendix A.
- 9. Changing the terms of reference and titles of the existing committees would avoid the need for the Council to appoint new committees.

10. The remits of the Committees would then look broadly as set out at Appendix B.
11. The report Scrutiny Board resolved:
 - “(i) That the Report (Ref: 16) be noted.
 - (ii) That the Constitution Committee be recommended to adopt the proposed re-organisation of the Scrutiny Committees remits and constitutions to bring them in line with the themes of the Luton forum as the Local Strategic Partnership.”
12. At it's meeting held on 2nd October 2008, Constitution Committee considered the above recommendation of the Scrutiny Board as set out at paragraph 9 above.
13. The Committee was advised that all political groups had been consulted about the proposed changes to the arrangements of Scrutiny, and that both the Conservative and Liberal Democrat Groups supported the proposals recommended by the Scrutiny Board.
14. However, the Labour Group responded that they were in favour of the proposal to have four scrutiny committees aligned to the themes of the Luton Forum, but suggested that the Performance Resources and Assets Scrutiny Committee be abolished, and its remit distributed between the Audit Committee and the Scrutiny Board, with the Board alone dealing with Called In items.
15. At the meeting, it was proposed, seconded and resolved as follows:
 - “(i) That, subject to the deletion of the Performance Resources and Assets Scrutiny Committee, the proposed re-organisation of the Scrutiny remits and constitutions to bring them in line with the themes of the Luton Forum as the Local Strategic Partnership, be adopted.
 - (ii) That the functions of the current Performance Resources and Assets Scrutiny Committee be included within the Terms of Reference of the Scrutiny Board.
 - (iii) That the Scrutiny board be responsible for dealing with all Executive decisions under the Council's Call – In Procedures.
 - (iv) That the Scrutiny Board be requested to establish annually a Task and Finish Sub-Group to deal with the budget process.
 - (v) That the above proposals be referred to Full Council for approval.”

PROPOSAL/OPTION

16. That the Council approve the recommendations as referred to at paragraph 2 (i) to (iv) above.

LEGAL IMPLICATIONS

17. The proposals if approved will be in compliance with the Council's statutory duties in relation to scrutiny and this has been agreed with Richard Stevens on 23rd October 2008.

FINANCIAL IMPLICATIONS

18. There are no direct financial implications to this report and this has been agreed with the Head of Corporate Finance on 27th October 2008.

APPENDICES

19. The following appendices are attached to this report:

Appendix A – Proposed re-configuration of Scrutiny Committees considered by the Scrutiny Board on 26th June 2008.

Appendix B – Broad overview of Scrutiny Committees as considered by scrutiny Board on 26th June 2008.

Appendix C – Broad overview of Scrutiny Committees remits as now proposed.

LIST OF BACKGROUND PAPERS

LOCAL GOVERNMENT ACT 1972, SECTION 100D

Committee report Ref: SB/06/08/16 and Minute No: 16/08.

Committee report Ref: CON/10/08/7.1 and Minute No. 6/08