

## REPORT OF THE CONSTITUTION COMMITTEE

### A. PROPOSED CHANGES TO THE STRUCTURE OF OVERVIEW AND SCRUTINY BODIES

#### Introduction

1. This report puts forward recommendations of the Constitution Committee to give effect to proposed changes in the structure of Overview and Scrutiny Bodies.

#### Background

2. Article 15 of the County Council's Constitution gives the Chief Executive a duty to monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. It requires that changes to the document should only be approved by the full County Council after consideration of the proposal by the Chief Executive and the Constitution Committee or, in the case of the Financial Procedure Rules and Contract Procedure Rules, the recommendations of the Corporate Governance Committee.

#### Review of Scrutiny Arrangements

3. Following the election, the Leader indicated that he was minded to review the structure of the Overview and Scrutiny function with particular focus on the role and remit of the current Environment and Transport Overview and Scrutiny Committee. Given the commitments made in the Conservative Group Manifesto, and to enable alignment with the Cabinet Lead Member portfolios, the Leader was of the opinion that the existing Committee should be split into two bodies with the following remits:

(a) Highways and Transport Overview and Scrutiny Committee

- Oversight and scrutiny of the executive functions of the County Council in respect of Highway and Transport Services within the Environment and Transport Department;
- To monitor the performance and activities of the Flood Risk Management Board in accordance with Section 9FH of Schedule 2 of the Localism Act 2011;
- To monitor the performance and activities of any partnerships associated with the executive functions outlined above.

(b) Environment and Climate Change Overview and Scrutiny Committee

- Oversight and scrutiny of the executive functions of the County Council in respect of:

- (i) Environment and Waste Management Services within the Council's Environment and Transport Department;
  - (ii) Climate Change and delivery of the Council's Green Agenda including green spaces;
- To monitor the performance and activities of any partnerships associated with the executive functions outlined above.
4. In undertaking the review of the functions of the above-mentioned bodies, the opportunity was taken to revisit the terms of reference for all the Council's Overview and Scrutiny Committees. The Scrutiny Commission terms of reference have been revised to provide greater clarity over its remit, particularly in respect of issues which will now be considered by the Environment and Climate Change Overview and Scrutiny Committee. The Adults and Communities Overview and Scrutiny Committee terms of reference have also been revised to reflect the range of relevant partnership bodies. The revised terms of reference are attached as Appendix A to this report, with changes and additions highlighted in red.
  5. The increase in the number of Overview and Scrutiny Committees will also affect the membership of the Scrutiny Commission, set out in Article 6.06 of the Constitution, which will now be made up as follows:
 

Scrutiny Commission (11 members)

    - Chairman – Leader of the Main Opposition Party;
    - 3 Commissioners – Leader of the minority Opposition and 2 Administration Members;
    - 5 Chairmen of Scrutiny Committees;
    - 2 additional members (to achieve political balance).
  6. There will be consequential amendments to the Constitution arising from the changes now proposed.

#### **Decision of the Constitution Committee**

7. At its meeting on 15 June the Constitution Committee considered approved the proposed changes to the structure of Overview and Scrutiny Bodies.

#### **(Motion to be moved**

**That the proposed amendments to the Council's Constitution, as set out in the report of the Constitution Committee and Appendix A thereto, be approved.)**

15 June 2021

**Mr N. J. Rushton  
Chairman**

**Background Papers**

Report of the Chief Executive to the Constitution Committee on 15 June 2021 on changes to the structure of Overview and Scrutiny Bodies.

**Appendix**

Appendix A – Revised Terms of Reference for the Overview and Scrutiny Bodies

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