

EAST HERTS COUNCIL

COUNCIL – 3 NOVEMBER 2004

REPORT BY ASSISTANT DIRECTOR (LAW AND CONTROL)

10. ESTABLISHMENT OF SCRUTINY REVIEW PANELS

WARD(S) AFFECTED: None specifically

'D' RECOMMENDATION – that (A) Policy Development Scrutiny Review Panels, be established as follows:

- (1) Budget (8 Members)
- (2) Regional Spatial Strategy (8 Members)
- (3) Energy Efficiency (8 Members)

(B) the Terms of Reference for the Panels in (A) above, as set out in the report now submitted, be approved;

(C) the allocation of seats on the Panels in (A) above, be as follows:

<u>Panel</u>	<u>Seats</u>	<u>Cons</u>	<u>Lib Dem</u>	<u>KAB</u>	<u>JPW</u>	<u>BWJS</u>	<u>DRA</u>
Budget	8	7	1	0	0	0	0
Regional Spatial Strategy	8	7	1	0	0	0	0
Energy Efficiency	8	7	1	0	0	0	0

(D) Members be appointed to the Panels in (A) above, in accordance with the wishes of the political groups to whom seats have been allocated.

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1.0 Purpose/Summary of Report

1.1 To seek approval for the establishment of Scrutiny Review Panels.

## 2.0 Contribution to the Council's Corporate Objectives

2.1 The work of the Panels will support the Scrutiny function of reviewing work undertaken across the Council to achieve the Council's corporate objectives.

## 3.0 Background

3.1 The Policy Development Scrutiny Committee, at its meeting held on 20 October 2004, considered the issue of improving member engagement in the scrutiny process. The Committee Chairman informed the meeting that currently, two investigative initiatives were underway to seek examples of best practice in scrutiny arrangements. Firstly, a Regional Assembly Scrutiny Review Panel, in which East Herts was participating. Secondly, a benchmarking exercise of 'excellent' authorities was being undertaken by Councillor Terence Milner.

3.2 The Chairman proposed a third trial initiative, which could be undertaken between now and the end of the current civic year, namely the establishment of three scrutiny review panels to determine whether Members find this form of scrutiny engagement to be worthwhile and useful. The three Panels proposed were:

- Budget 2005/06
- Regional Spatial Strategy
- Energy Efficiency

3.3 It is suggested that the Panels would be able to develop a more detailed approach on the specific issues identified in 3.2 above. Each Panel would report its final deliberations to the Policy Development Scrutiny Committee.

## 4.0 Budget Scrutiny Review Panel

4.1 Preparations for the Council's Budget in 2005/06 are already underway. The budget timetable concludes with the approval of the budget by Council on 23 February 2005 and the setting of the Council Tax on 1 March 2005. The Budget Scrutiny Review Panel would be charged with undertaking a detailed review and reporting to the Policy Development Scrutiny Committee of 10 February 2005, which in turn will report its views to the Executive meeting on 15 February 2005.

4.2 It is proposed that its Terms of Reference are 'to scrutinise in detail the Council's budget proposals for 2005/06 and to make recommendations to the Policy Development Scrutiny Committee.'

## 5.0 Regional Spatial Strategy Scrutiny Review Panel

- 5.1 The Government is launching its consultation on the forthcoming Regional Spatial Strategy document in December 2004. Its proposals will have significant implications for East Herts. The Council will be approving its formal response in March 2005. The Regional Spatial Strategy Scrutiny Review Panel will be charged with carrying out the detailed work in preparing the Council's response, and will report its deliberations to the Policy Development Scrutiny Committee.
- 5.2 It is proposed that its Terms of Reference are 'to scrutinise in detail the Regional Spatial Strategy consultation document and to make recommendations to the Policy Development Scrutiny Committee.'

## 6.0 Energy Efficiency Scrutiny Review Panel

- 6.1 The Policy Development Scrutiny Committee has been considering how the Council could set a good example in energy efficiency in its own buildings, transport and employment practices. The Committee felt this needed more detailed consideration and the drafting of an Energy Efficiency Strategy, which could be undertaken by a Scrutiny Review Panel.
- 6.2 It is proposed that its Terms of Reference are 'to determine the scope and content for a new energy efficiency policy for the Council and to make recommendations to the Policy Development Scrutiny Committee.'

## 7.0 Allocation of Seats

- 7.1 The Council is obliged to allocate seats to be occupied by its Members to the political groups into which it is divided. Political groups then nominate the Members of the Council whom they wish to see occupy those seats allocated to them. The nominees need not be a member of the political group which nominates them.
- 7.2 There are two duly constituted political groups within East Herts Council. In addition, account must be taken of those Members, if any, who are not Members of political groups on the Council. Those Members are entitled to a proportion of seats in relation to their relative percentage size. It is for Council to appoint such Members to the seats allocated. Details of political group etc sizes are listed below:

Cons: 41 (82%)  
Lib Dem: 5 (10%)

Councillors Atkins, Barnes, Sapsford and Warren are independent Members (2% each)

7.3 Members of the Executive may not be appointed to serve on Scrutiny Committees or their Panels.

#### 8.0 Consultation

8.1 None.

#### 9.0 Legal Implications

9.1 The proposals to establish Scrutiny Review Panels are in accordance with the statutory provisions relating to decision-making structures and the 'proportionality rules'.

#### 10.0 Financial Implications

10.1 None.

#### 11.0 Human Resource Implications

11.1 The Scrutiny Review Panels will be supported from within existing resources.

#### 12.0 Risk Management Implications

12.1 None.

### Background Papers

None.

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