



East  
Northamptonshire  
Council

## Scrutiny Committee - 24 February 2010

### Countywide Scrutiny Arrangements

#### Summary

This report updates Members on the progress being made to establish a countywide scrutiny arrangement.

#### Attachment(s)

Revised Terms of Reference.

1. The Committee considered a report on 15 April 2009 on proposals to create a countywide scrutiny arrangement and agreed to a draft terms of reference for a Northamptonshire Overview and Scrutiny Board.
2. As a result of the Council's decision to participate in the countywide arrangement the Chairman and Vice Chairman of this Committee, together with the Executive Director/CFO, have contributed to the establishment of a Shadow Board with a view to the formal Northamptonshire Overview and Scrutiny Board being implemented with effect from 1 April 2010.
3. The Board is chaired by Councillor Chris Long from Daventry District Council and the Vice Chairman is Councillor Stearn.
4. Following lengthy discussions with all the proposed membership of the Board the draft terms of reference have been revised and improved. The terms of reference have been endorsed by the Public Service Board. The revised Terms of Reference are attached for consideration and approval.
5. Unfortunately at this stage the Police Authority, who were actively involved in the early discussions, have not formally agreed to join the Board; but work continues on encouraging the Police Authority to participate.
6. The Board has already started to develop its own work programme and suggested reviews are: returning ex-service personnel; drugs rehabilitation; increased employment and training; and crime and disorder.
7. On a topical issue the recent bad weather and the subsequent response by local authorities and the Highways Agency to gritting roads and footpaths is an area of concern to many of the members and therefore it has been agreed that this matter should be discussed at the April meeting of the Board. The Head of Transport at the County, Councillor Smith, NCC Member for Environment, Transport and Growth and the Highways Agency will be invited to the meeting to answer questions.
8. Finally, the Board is also trying to gather information on the skills and interest of individual councillors across the county and to see whether any councillor would like to participate in an appropriate county-wide review. Subject to Members approval to the revised terms of reference it is proposed to initially collect this information from our own Scrutiny Committee members.
9. The Committee is recommended to:
  - 1) Note the progress in the establishment of county-wide overview and scrutiny arrangements.

2) Consider and approve the revised Terms of Reference.

<b>Implications:</b>					
<b>Corporate Outcomes or Other Policy/Priority/Strategy</b>					
Good Quality of Life	<input type="checkbox"/>	Good Reputation	<input checked="" type="checkbox"/>		
Good Value for Money	<input type="checkbox"/>	High Quality Service Delivery	<input type="checkbox"/>		
Effective Partnership Working	<input checked="" type="checkbox"/>	Strong Community Leadership	<input type="checkbox"/>		
Effective Management	<input type="checkbox"/>	Knowledge of our Customers and Communities	<input type="checkbox"/>		
Employees and Members with the Right Knowledge, Skills and Behaviours			<input type="checkbox"/>		
<b>Other:</b>					
Decision(s) would be outside the budget or policy framework and require full Council approval <input type="checkbox"/>					
<b>Financial</b>	There are no financial implications at this stage			<input checked="" type="checkbox"/>	
	There will be financial implications – see paragraph			<input type="checkbox"/>	
	There is provision within existing budget			<input type="checkbox"/>	
	Decisions may give rise to additional expenditure at a later date			<input type="checkbox"/>	
	Decisions may have potential for income generation			<input type="checkbox"/>	
<b>Risk Management</b>	An assessment has been carried out and there are no material risks			<input checked="" type="checkbox"/>	
	Material risks exist and these are recorded at Risk Register Reference - inherent risk score - residual risk score -			<input type="checkbox"/>	
<b>Staff</b>	There are no additional staffing implications			<input checked="" type="checkbox"/>	
	Additional staff will be required – see paragraph			<input type="checkbox"/>	
<b>Equalities and Human Rights</b>	There will be no impact on equality (race, age, gender, disability, religion/belief, sexual orientation) or human rights implications			<input checked="" type="checkbox"/>	
	There will be an impact on equality (see categories above) or human rights implications – see paragraph			<input type="checkbox"/>	
<b>Legal</b>	Power: Local Government Act 2000				
	Other considerations:				
<b>Background Papers:</b> Draft terms of reference; Minutes of Countywide OSC					
<b>Person Originating Report:</b> Mark Lovell, Executive Director/CFO. Tel: 01832 742074 email: malovell@east-northamptonshire.gov.uk					
<b>Date: 12 February 2010</b>					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	

(Committee Report Normal Rev. 21)















The member organisations will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

**f) Confidential Information - Exclusion of Access by the Public to Meetings**

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

**g) Exempt information – discretion to exclude public**

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person’s civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

**h) Meaning of confidential information**

Confidential information means information given to a member organisation by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

**i) Meaning of exempt information**

Exempt information means information falling within the following 7 categories (subject to any qualification):

General qualifications:

(i) Information falling within any of the paragraphs 1-7 in the table below is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

(b) Information which falls within any of the paragraphs 1-7 below and which is not prevented from being exempt by virtue of the general qualification (a) above or the qualification to category 3 below is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Category	Qualifications and Interpretation
1. Information relating to any individual	
2. Information which is likely to reveal the identify of an individual	

<p>3. Information relating to the financial or business affairs of any particular person (including the <i>organisation</i> holding that information).</p>	<p>Information falling within this paragraph is not exempt information if it is required to be registered under the:</p> <p>(a) Companies Act 1985;          (b) Friendly Societies Act 1974;          (c) Friendly Societies Act 1992;          (d) Industrial and Provident Societies Acts 1965 – 1978;          (e) Building Societies Act 1986;          or          (f) Charities Act 1993</p> <p><i>“organisation” means any Council, its committees and sub-committees, and any other member agency.</i></p> <p>“financial or business affairs” includes contemplated, as well as past or current activities.</p>
<p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the <i>organisation</i> or a Minister of the Crown and employees of, or officer-holders under the authority.</p>	<p><i>“organisation” means any Council, its committees and sub-committees, and any other member agency.</i></p> <p>“employee” means a person employed under a contract of service.</p> <p>“labour relations matter” is as specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992, i.e. matters which may be the subject of a trade dispute, within the meaning of that Act. This provision shall relate to “office holders” as they apply to employees.</p>
<p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>	
<p>6. Information which reveals that the <i>organisation</i> proposes:</p> <p>(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p>	<p><i>“organisation” means any Council, its committees and sub-committees, and any other member agency.</i></p>

(b) to make an order or direction under any enactment.	
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	

**j) Exclusion of Access by the Public to Reports**

If the Advising Officer thinks fit, access by the public may be excluded from reports which in his/her opinion relate to items during which, in accordance with rules (f)-(g) above, the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

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