

NON EXEMPT

EAST HAMPSHIRE DISTRICT COUNCIL

Overview & Scrutiny Committee

14 July 2016

CONSTITUTIONAL AMENDMENT

Report by Monitoring Officer

FOR RECOMMENDATION TO COUNCIL

Portfolio Holder: Cllr Cowper, Leader

Key Decision: No

1.0 Purpose of Report

- 1.1 To consider a proposal to create a new Governance, Audit and Scrutiny Committee. This Committee will replace the current Governance & Audit Committee and Overview & Scrutiny Committee.

2.0 Recommendation

- 2.1 The Governance and Audit Committee recommends to Council that the draft Constitutional amendments be adopted and a new Governance, Audit and Scrutiny Committee be established, replacing the Governance and Audit Committee and the Overview and Scrutiny Committee.

3.0 Subject of Report

3.1 *Legislative framework*

- 3.2 The concept of 'overview and scrutiny' was introduced to English and Welsh local authorities by the Local Government Act 2000. This Act obliged local councils to adopt political management systems with a separate executive. The 'executive' would take the form of a leader (or elected mayor) and a cabinet. The remainder of the council was required to establish at least one overview and scrutiny committee. Overview and scrutiny committees may not include members of the council's cabinet, and their membership should in general reflect the political balance of the local authority. The legal provisions can now be found in schedule 2 of the Localism Act 2011.

- 3.3 The Governance and Audit Committee was established in 2013 and acts as the Council's Audit Committee. It also monitors and reviews the Council's governance arrangements, including changes to the Constitution, and monitors the Council's powers under the Regulation of Investigatory Powers Act 2000 (RIPA).

3.4 *Overview and scrutiny at East Hampshire*

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3.5 In 2015 and 2016 the Overview & Scrutiny Committee has only met on two occasions. Furthermore, currently a high proportion of Members sit on both Committees.

3.6 It is therefore proposed that the two Committees are combined with a membership of 14 Councillors. The proposed terms of reference are attached.

4.0 Implications

4.1 **Resources:** Merging the two Committees means the Council will work in a more streamlined cost-efficient way

4.2 **Legal:** The new Committee will carry out the Council's functions as required by section 21 of the Local Government Act 2000

4.3 **Strategy:**

4.4 **Risks:** (Environmental, Health & Safety and Customer Access Impact Assessment) None

4.5 **Communications:** The Council's Constitution will be amended accordingly

Appendix: Terms of Reference

Agreed and signed off by:

Legal Services: 5 July 2016

Interim Head of Finance & Assets: 6 July 2016

Executive Director Strategy & Governance: 6 July 2016

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