



## **CONSTITUTION COMMITTEE – 30 JUNE 2008**

### **REPORT OF THE CHIEF EXECUTIVE**

### **POSSIBLE ELECTION OF CHAIRMAN OF SCRUTINY COMMISSION**

#### **Purpose**

1. The purpose of this report is to respond to a request for a report on the possibility of the post of Chairman of the Scrutiny Commission being elected at the Annual Meeting of the Council.

#### **Background**

2. The Council's Constitution provides that "the Leader of the numerically largest opposition group shall be the Leader of the Opposition and shall ex officio act as Chairman of the Commission."
3. At its last meeting, arising from the report of the Independent Remuneration Panel, the Committee decided inter alia:- "that a report be submitted to the next meeting of the Committee on the possibility of the post of Chairman of the Scrutiny Commission being elected at the Annual Meeting of the Council."
4. Any changes to the current arrangements will involve amendments, and possible consequential amendments, to several elements of the Constitution, including the Articles of the Constitution, Meeting Procedure Rules (Standing Orders) and Overview and Scrutiny Procedure Rules.
5. Changes to the Meeting Procedure Rules involve a two stage process. They are lodged at one Council meeting and determined at the next.
6. Under the Local Government and Public Involvement in Health Act 2007 the County Council will need to amend its arrangements for appointing the Leader of the Council and Cabinet. The new provisions will need to be adopted so that they can take effect immediately following the County Council elections in 2009.
7. In future the Leaders' term of office will last from the date of his/her appointment until the "post election annual meeting". In other words the Leader's term of office will normally be four years. The

appointment of members of the Cabinet will become a matter solely for the Leader. At the moment the Cabinet is appointed by the Council as a whole.

8. It is therefore intended to bring forward proposals to the meeting of the County Council in September 2008 as part of the next annual review of the Council's Constitution and it suggested that any possible changes relating to the Chairmanship of the Scrutiny Commission should be addressed at the same time.

### **Possible Arrangements**

9. It is understood that the basis of the suggestion being put forward for consideration involves the following features:-
- the Chairman of the Scrutiny Commission would be elected at the Annual Meeting of the Council each year;
  - only members of the Opposition Parties would be eligible to stand;
  - Executive Members and Cabinet Support Members would be specifically excluded from voting on the matter.

### **Recommendation**

10. The Committee is requested to indicate its views to enable, if necessary, detailed proposed amendments to the Council's Constitution to be developed for consideration.

### **Background Papers**

11. None.

### **Circulation under the Sensitive Issues Procedure**

12. None

### **Officer to Contact.**

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### **Relevant Impact Assessments**

#### Equal Opportunities Implications

13. None.