

REPORT TO CONSTITUTION AND ACCOUNTS COMMITTEE

REPORT OF: CORPORATE MANAGER DEMOCRATIC
AND LEGAL SERVICES (MONITORING OFFICER)

REPORT NO. DLS50

DATE: DECEMBER 2005

TITLE:	RECOMMENDATIONS FROM THE SCRUTINY CO-ORDINATING GROUP
FORWARD PLAN ITEM:	N/A
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/A
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	COUNCILLOR PAUL CARPENTER
CORPORATE PRIORITY:	CORPORATE GOVERNANCE
CRIME AND DISORDER IMPLICATIONS:	N/A
FREEDOM OF INFORMATION ACT IMPLICATIONS:	N/A
BACKGROUND PAPERS:	MINUTES OF SCRUTINY CO-ORDINATING GROUP

1. INTRODUCTION

- 1.1 At meeting of the Scrutiny Co-ordinating Group held on the 3rd October and 12th December 2005 members discussed the right of Chairmen or Vice-Chairmen of Development and Scrutiny Panels to attend Cabinet meetings.

2. DETAILS OF REPORT

- 2.1 The Scrutiny Co-ordinating Group reviewed the relevant constitutional references to the attendance of Chairmen or Vice-Chairmen of DSPs to attend Cabinet meetings.
- 2.2 Members considered that the Constitution should be revised to ensure that it is the right of all Chairmen or Vice-Chairmen of DSPs to address the Cabinet on behalf of their Panel on any item of relevance to that Panel. There was also concern that a member could only speak before the Cabinet debated or discussed the item in question. Whilst agreeing that anyone wishing to speak should perhaps be time limited it was considered that Chairmen or Vice-Chairmen of all DSPs would benefit from being able to make remarks after the debate had commenced. It was agreed that it would be beneficial if Chairmen or Vice-Chairmen were given the opportunity to speak briefly at the beginning of the item and then sum up at the end, in a similar style as occurs in relation to a motion being put before a full Council meeting. It was considered at the subsequent meeting of the Group that it would not be practical to include a summing up provision for Chairmen or Vice Chairmen at the Cabinet meeting.
- 2.3 Members were also concerned that in relation to private Cabinet meetings the constitution confirmed that “where a matter under consideration at a private meeting of the Cabinet is within the remit of the DSP, the Chairman of that panel and/or the Vice/Chairman may attend that private meeting with the consent of the person presiding and speak if those present agree”. It was noted that DSP Chairmen were not informed of Private Cabinet meetings where items that would affect their panel were being discussed. The consensus view was that there should be a right for all Chairmen and Vice-Chairmen to speak at private Cabinet meetings on matters concerning their particular DSP. Concern was also expressed that Chairmen or Vice-Chairmen were unable to speak without the permission of those present. It was therefore suggested that the relevant wording be removed to read “the Chairmen of that panel or the Vice-Chairmen may attend that private meeting and speak”.

3. RECOMMENDATIONS

The Scrutiny Co-ordinating Group therefore recommends to request the Constitution and Accounts Committee to consider the following:-

- 3.1 That the right of Chairmen or Vice-Chairmen to attend open and private Cabinet meetings and speak on behalf of their DSP on relevant matters should be approved and that reciprocal arrangements be granted to the Cabinet portfolio holder to attend and speak at relevant DSP meetings.
- 3.2 That provision for Chairmen or Vice-Chairmen of DSP's should be made within the Constitution to allow them to speak at Cabinet meetings before debate of a relevant DSP item.

4. **CONTACT POINT:** Corporate Manager, Democratic and Legal Services
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