

Appointment of Scrutiny Committee Members to Joint Scrutiny Panels

Lead Officer: Jo Gale, Scrutiny Specialist
Contact Details: joanna.gale@southsomerset.gov.uk or 01935 462077

Action Required

Two members of SSDC's Scrutiny Committee be appointed to the Somerset Rivers Authority and Somerset Waste Board Joint Scrutiny Panels.

Further information about the panels (or extracts from governance documents) is shown on the following pages.

Joint Scrutiny Panel of Somerset Waste Board

Purpose and powers

The Somerset Joint Waste Scrutiny Panel (the Panel) will allow effective multi-authority Scrutiny of the Somerset Waste Board and support the strategic development of the Somerset Waste Partnership. The Panel will not be constituted as a formal joint committee. It does not replace or duplicate the role of individual partner scrutiny committees but aims to add value to the joint working of the board.

Membership

The Panel will comprise of two members from each participating authority. They will be appointed annually by the Scrutiny Committee (or equivalent) of each partner authority as determined locally, except that they should not be Executive members of any authority.

Role

The Panel will act as a “scrutiny commission” or “task group” on behalf of every authority. In conducting this role it may:

- Scrutinise decisions of the Somerset Waste Board
- Explore specific issues that benefit from member involvement in detailed review
- Support the board in developing its strategic development

Recommendations

The recommendations of the Panel will be reported to the:

- each authority’s Scrutiny Committee via the authority’s representative member
- Somerset Waste Board via the chair of the panel.

If necessary, each Scrutiny Committee can make recommendations to its own Executive and receive a response.

Somerset Rivers Authority Scrutiny Panel

Purpose and Powers

The Somerset Rivers Authority (SRA) is an established partnership involving all Somerset local authorities and other key delivery agencies. An informal Joint Scrutiny Panel for the SRA has been in place since

Role

The Memorandum of Understanding and Terms of Reference for the informal Joint Scrutiny Panel are attached to this report.

Recommendations

As an informal Joint Scrutiny Panel, any recommendations or actions proposed by the Panel will need to be endorsed by the Scrutiny functions of each partner authority. Working together informally should facilitate wider engagement of elected members in the work of the Somerset Rivers Authority and provide a more effective mechanism for fulfilling the statutory scrutiny functions of local authorities.

Local Memorandum of Understanding & Constitution (for the Somerset Rivers Authority Scrutiny Panel)

1. Background and Context

1.1 The Parties

Somerset County Council (SCC), the Axe / Brue and the Parrett Internal Drainage Boards (IDBs), Mendip, Sedgemoor, South Somerset, West Somerset District Councils and Taunton Deane Borough Council. These Parties, to whom this Local Memorandum of Understanding (MoU) applies will comprise the membership of the Somerset Rivers Authority (SRA) Joint Scrutiny Panel and will agree how to involve other stakeholders, such as the Environment Agency, Natural England, and the Wessex Regional Flood and Coastal Committee.

1.2 Background

The establishment of an informal joint Scrutiny Panel, agreed by the SRA Board on 23rd March 2016, reflects the need for the Somerset Rivers Authority to be accountable to the constituent councils and partners. The Panel will enable the scrutiny of activities of the SRA and provide necessary assurance to the constituent councils and partners that the SRA is operating effectively. As this will be an informal panel rather than a formally constituted joint Committee, there is not a requirement for each individual council to formally give the Panel delegated powers. It will operate as a cost effective mechanism whereby through a maximum of 2 to 3 meetings per year, members of each council and the IDB can come together collectively scrutinize the effectiveness of the SRA. This approach is consistent with the current status of the SRA as an unincorporated association and based upon the current Joint Waste Scrutiny model in operation in Somerset. The onus will be on the representatives of each Council / organization who attend the Panel to feedback any issues or concerns into their Councils' formal scrutiny process.

1.3 Workings of the Panel

The SRA Joint Scrutiny Panel will:

- Consist of 2 elected members from each of the 6 councils and 1 from each Internal Drainage Board;

- Appoint a Chairman on an annual basis;
- Appoint a Vice Chairman on an annual basis;
- Receive administrative support from Somerset County Council
- Be the usual body to which called-in decisions of the Somerset Rivers Authority Board are referred to. The Panel will meet on a 6 monthly basis (unless an issue arises which requires more frequent meetings) and acting to in an informal capacity will seek to add value to the work of the SRA Board by:
 - Improve pre-decision scrutiny of the work of the SRA Board, using the SRA Board's forward work programme as a source document;
 - Improve communication amongst the wider membership of all partner authorities, including those not on the Joint Scrutiny Panel;
 - Minimise the impact of effective scrutiny on the time of the SRA Board – by providing dedicated opportunities to engage with the Scrutiny functions of all Board member Councils / organisations.
 - Consider policy development opportunities as and when they arise to support the SRA Board.

1.4 This Local Memorandum of Understanding (Local MoU)

This Local MoU document is not intended to be legally binding on the Parties, but the Parties agree to the Local MoU, intending to honour their obligations set out in it. It will cover the period up to 1st January 2018 and will be supported by an SRA Joint Scrutiny Panel Terms of Reference/Constitution.

1.5 Term & Amendment

This local MOU shall come into effect on 1st January 2017, and shall continue in force unless terminated in accordance with the this Local MoU. It will be reviewed annually or when relevant legislation is in place, defining accountability and scrutiny, whichever comes soonest. Proposals for amendments should be communicated to the SRA Senior Manager, no less than 30 days ahead of any Board meeting at which they would need to be considered. Proposals would then be circulated for comment and a recommendations made to the SRA Board, and in accordance with its decision-making arrangements decided by a simple majority.

1.6 Previous Arrangements

Prior to this Local MoU, the existing arrangements have provided for individual scrutiny by each of the constituent councils through their existing scrutiny processes. Those arrangements will be superseded by the arrangements put in place under this Local MoU.