

report



meeting **COUNTY COUNCIL**

date 6th April 2006

agenda item number 9(a)

REPORT OF THE MONITORING OFFICER

A Scheme for co-opted Members

1. Purpose of Report

To propose a Scheme pursuant to section 115 of the Local Government Act 2003 to appoint co-opted Members to Overview and Scrutiny Committees with voting rights.

2. Background

- 2.1.** The Local Government Act 2003 makes provision for Councils to produce a Scheme whereby co-opted Members can be appointed to Overview and Scrutiny committees with voting rights.
- 2.2.** The County Council has co-opted Members onto certain of its current Scrutiny committees for example the Health Select Committees. Those co-opted Members have not had any voting rights.
- 2.3.** There is a statutory requirement to co-opt Members in relation to educational matters. These members have voting rights.

3. Considerations

- 3.1.** At its meeting on 8 November 2005 the Health Select Committee considered the some of the benefits of allowing co-opted Members voting rights.
- 3.2.** The benefits broadly include:

Encouraging a sense of ownership and therefore more involvement in debates before a Scrutiny Committee;

Allowing non-elected Members of the public a more active voice in scrutiny;

Inclusivity in the decision making process of all who have contributed to a scrutiny process:

Improved quality of decision making by including broader based issues and views making;

A “partnership” approach to scrutiny decision making:

3.3. The system of co-opted members having voting rights has been established for some time in relation to educational matters.

3.4. There are also some counter arguments to providing co-opted members with voting rights which include:

Co-opted members lack any democratic accountability compared with elected Members;

Non-voting co-optees are still free to debate issues and provide their expertise to a Scrutiny Committee;

Scrutiny Members may feel that their roles are being diminished by giving equal voting rights to co-opted members;

Scrutiny Committees receive expert evidence from witnesses drawn from within the Community they do not have any voting rights;

To maintain parity with other co-opted voting members, an annual allowance (currently £500) would need to be paid plus other expenses.

4. Options

4.1. Maintaining the status quo would allow members to be co-opted to onto Committees but without voting rights. In addition to these members contributing to a Scrutiny Committee’s work Committee’s could continue to use witnesses from within the community to inform their work

4.2. Agreeing the Scheme at **Appendix 1** would provide the benefits set out above with some concessions to the counter arguments.

5. Financial Implications

5.1. Maintaining a pool of 20 co-opted members with allowances akin to those of currently co-opted voting members would cost annually £10,000 plus

other expenses. However the proposed scheme allows for flexibility in appointing co opted members on an “as and when required” basis, so the actual cost in a year may be less than this.

6. Equal Opportunities Implications

- 6.1.** The appointment process would be in accordance with the County Council’s well developed Equal Opportunities policy.

7. Personnel Implications

- 7.1.** The recruitment of additional members will have some personnel implications in terms of increased work loads for Members’ Services and Scrutiny Officers.

8. Strategic Property Implications

- 8.1.** There will be no need for additional office space and there are unlikely to be any other strategic property implications.

9. Consultation

- 9.1.** The Health Select Committee has been consulted regarding this proposal and has indicated its general support for a Scheme.
- 9.2.** The Leader has discussed the matter with the Monitoring Officer and is generally in favour of a Scheme being approved.
- 9.3.** Members now have an opportunity to weigh the benefits and disadvantages of having a Scheme for voting members.
- 9.4.** If it is proposed to approve a Scheme including voting members that will need to be referred to the Independent Remuneration Panel which is due to meet in April.
- 9.5.** Subject to the outcome of the considerations and recommendation of the Independent Remuneration Panel a report shall then be taken to the Annual General Meeting seeking approval to the appointment of a pool of members in accordance with the Scheme at **Appendix 1**.

10. RECOMMENDATIONS

It is recommended:

- 10.1.** That Council agree a Scheme for co-opted members to have voting rights.

- 10.2.** That Council approves the details of the Scheme at **Appendix 1.**
- 10.3.** That Council delegates to Overview and Scrutiny Committees authority to formally appoint voting and non-voting members in accordance with the Scheme at **Appendix 1.**

Legal Comments

Council meeting has the constitutional delegation to approve the recommendations in this report [EB 23.03.06]

Director of Resources Comments

Any costs associated with the scheme will have to be found from the members allowance budget provision

Background Papers

Electoral Divisions Affected – all