

## **Draft Response to Draft Regulations and Draft Guidance on Joint Overview & Scrutiny Committees**

Flintshire County Council welcomes the draft regulations and draft guidance and believes that generally they deal with a complex area rather well. It does however have the following points of detail:-

### **1. Political Balance (Regulation 5 and Page 7/8 of the Guidance)**

The provisions of regulation 5 are welcomed. The wording of the regulation is not however reflected on page 7/8 of the draft guidance. Regulation 5 (3) requires that each appointing authority must “as far as practicable” reflect the balance of political groups on the Council when making appointments to a joint committee. The draft guidance however, refers to doing so “so far as possible”. The draft guidance should be amended to say “as far as practicable”.

### **2. Payment of Joint Committee Chair (Regulation 7)**

Whilst regulation 7 (3) says that the Chair of a joint Overview & Scrutiny Committee is eligible for remuneration comparable to the payment which a Chair of an Overview & Scrutiny Committee receives, the Independent Remuneration Panel for Wales limit how many such payments each authority can make. It would be helpful if the draft regulations made clear that any such payments are in addition to the number that each individual authority is limited to. If that is not feasible then to at least allow the authorities to form the joint committee to decide between themselves which authority makes the payment and has it counted against its individual allocation.

### **3. Call-ins (Pages 6 & 7 of Draft Guidance)**

It is believed there is no need for joint Overview & Scrutiny Committees to have the power of call-in and to do so would merely confuse the existing call in arrangements that each authority has. Each authority represented on the joint committee will have its own arrangements for calling in decisions made by that Council’s Executive or Cabinet. To allow members of a joint committee to also call-in a decision will create confusion and could result in a decision by Flintshire’s Cabinet being called in by both a Flintshire Overview & Scrutiny Committee and the joint Overview & Scrutiny Committee. The draft guidance is ambiguously worded and is capable of interpretation in various different ways. If the draft regulations make clear that joint Overview & Scrutiny Committees did not have the power of call-in, each Council would maintain control of whether its Cabinet/Executive decisions should be called in or not.

#### **4. Task & Finish Groups (Page 10 of Draft Guidance)**

The second paragraph seems to be saying that the membership of Task & Finish Groups should be limited to co-opted members. This paragraph would make more sense if it said that co-opted members were excluded from any Task & Finish Group. Alternatively, delete this paragraph from the final version of the guidance.

#### **5. Layout**

It would be helpful for reference purposes if the final version of the draft guidance had each paragraph numbered.