

ASSISTANTS TO PORTFOLIO HOLDERS AND OVERVIEW AND SCRUTINY COMMITTEE

1. Rule 2.1 of the Overview and Scrutiny Procedure Rules state:

All councillors except members of the Executive and their assistants may be members of the Committee and any Scrutiny Sub-committees.

The last sentence to Article 7.13 state:

“Assistants will not be appointed to the Overview and Scrutiny Committee or its Sub Committees”.

2. Regulations merely provide that any Overview and Scrutiny Committee or sub-committee may not include any member of the Authority’s Executive. There are no Regulations that prevent other members, such as Assistants to Portfolio Holders from the membership of the Committee or its sub-committee.
3. A random search of other authorities’ constitution contains no such restriction.
4. In the circumstances the proposal is to amend O&S Rule 2.1 and Article 7.13 and any other relevant procedure rule to allow assistants to portfolio holders to become members of the Overview and Scrutiny Committee and any sub-committee. The proposed amendments would be as follows:

O&S Rule 2.1

To delete “and their assistants” from this rule to read:

“All Councillors except members of the Executive may be Members of the Overview and Scrutiny Committee and any Scrutiny sub-committee.”

Article 7.13

To delete the last sentence to the rule which would read:

“Non-Executive Councillors may be appointed as assistants to Portfolio Holders. These assistants may not exercise any of the powers of the Portfolio Holder nor act in the absence of the Portfolio Holder. Confirmation of the appointment of any assistants must be given by the Executive”.

RECOMMENDATION

That Overview and Scrutiny Rule 2.1 and Article 7.13 be amended to read as follows:

O&S Rule 2.1

“All Councillors except members of the Executive may be Members of the Overview and Scrutiny Committee and any Scrutiny sub-committee.”

Article 7.13 delete the last sentence so that the rule reads:

“Non-Executive Councillors may be appointed as assistants to Portfolio Holders. These assistants may not exercise any of the powers of the Portfolio Holder nor act in the absence of the Portfolio Holder. Confirmation of the appointment of any assistants must be given by the Executive”.

FOR DECISION

Agreed	Not Agreed
Name:	Name:.....
Signed.....	Signed.....
Date	Date:.....