

CYNGOR SIR POWYS COUNTY COUNCIL.

**Democratic Services Committee
28th September 2023**

REPORT AUTHOR: Catherine James, Head of Transformation and Democratic Services

REPORT TITLE: Powys PSB Scrutiny Committee

REPORT FOR: Decision

1. Purpose

1.1 The Committee is asked to recommend to the Council the appointment of three co-opted Members to the membership of the PSB Scrutiny Committee as well as to amend its terms of reference in relation to meetings.

2. Background

2.1 The Powys Public Service Board at its meeting on 6th July, 2023 considered a report regarding the PSB Scrutiny Committee (copy attached as Appendix 1). This arose following a review of the PSB's own membership and took account of the view that as a partnership it would be beneficial if the scrutiny of the partnership was undertaken by a group which had a broader perspective than just the Council.

2.2 The PSB noted from the report that the original membership of the PSB Scrutiny Committee was drawn from all of the partners involved in the PSB, and that this model had not been successful, which had led to the Council taking the decision in March, 2023 to review the membership.

2.3 The PSB also accepted the following requirements should it request that the Council reviews the membership of the PSB Scrutiny Committee:

- In accordance with the Terms of Reference for the PSB Scrutiny Committee, any co-opted Members:
 - cannot be drawn from the “executives” of any of the organisations to ensure that there is a split of responsibilities between those who are the “executive” of the organisation and those who undertake a “scrutiny” function.
 - should not include officers from those organisations.
 - should not be a Powys County Council representative on those organisations.

2.4 Following discussion the PSB recommended to the Democratic Services Committee that the membership of the Committee be amended to

accommodate co-opted Members from other organisations and also complying with the following provisions:

- A maximum of three co-opted Members (in accordance with the Statutory Guidance arising from the Local Government Measure 2011);
- That those co-opted members can not:
 - be drawn from the executive of the organisation.
 - be officers from the organisation.
 - be Powys County Council representatives on those organisations

2.5 In addition, the PSB recommended to the Democratic Services Committee that the Terms of Reference for the PSB Scrutiny Committee be amended to the effect that the requirement for meetings of the Committee would be set as a minimum of one and a maximum of two per year.

3. Resource Implications

3.1 Co-opted Members are not entitled to payments in accordance with the Annual Report of the Independent Remuneration Panel for Wales 2022 as they are not statutory appointments. However they would be entitled to claim travelling expenses for any face to face meetings

3.2 Therefore the additional requirement on the revenue budget for 2023-24 would be minimal and can be accommodated within the existing budget.

3.3 The Head of Finance (Section 151 Officer) notes the report and supports the recommendation.

4. Legal implications

4.1 Legal : The recommendation can be supported from a legal point of view

4.2 The Head of Legal Services and the Monitoring Officer's has commented as follows: " I note the legal comments and support the recommendation"

5. Data Protection

5.1 Not required. This does not involve the processing of personal data.

6. Comment from local member(s)

Not applicable.

7. Impact Assessment

Not required

8. Recommendation

Recommendation to the County	Reason for Recommendation:
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Council:	
<p>(i) that the membership of the PSB Scrutiny Committee be amended to accommodate co-opted Members from other organisations and also complying with the following provisions:</p> <ul style="list-style-type: none"> • A maximum of three co-opted Members (in accordance with the Statutory Guidance arising from the Local Government Measure 2011); • That those co-opted members can not: <ul style="list-style-type: none"> • be drawn from the executive of the organisation. • be officers from the organisation. • be Powys County Council representatives on those organisations <p>(ii) that the Terms of Reference for the PSB Scrutiny Committee be amended to the effect that the requirement for meetings of the Committee would be set as a minimum of one and a maximum of two per year</p> <p>(iii) that if the Council approves recommendation (i) above that it appoints the three Co-opted Members to the PSB Scrutiny Committee.</p> <p>(iv) That the Head of Legal Service and the Monitoring Officer is authorised to amend Section 7 of the Constitution and to make such other consequential amendments as may be required.</p>	<p>To review the membership of the PSB Scrutiny Committee.</p>

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