

Extract from Report to Cabinet - Review of the Constitution - 26 January 2006

- The last survey by Members Services asking Members which agendas they wanted to be posted to them was carried out in May 2004. It is proposed that a written guide be produced explaining clearly what information is available.
- In the case of a report which contains a key decision by an individual Cabinet Member it is proposed that in addition to informing the Chairman of the relevant Scrutiny Committee that a key decision is to be taken and when, notification is also given to Members of the relevant Scrutiny Committee. Once that decision is made, in addition to sending a further letter to the Chairman of the Scrutiny Committee notifying the decision and advising that the decision will take effect unless it is called in within 3 working days of the date of the decision, a letter will be sent to each Member of the Scrutiny Committee. (This notification will be by e-mail).
- At present if a Key Decision is **not** included in the Forward Plan and the decision is for Cabinet, a separate letter is sent to the Chairman of the relevant Scrutiny Committee along with the Cabinet agenda, to satisfy Section 15 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 which requires that: "that decision shall only be made where the proper officer has informed the Chairman of the relevant overview and scrutiny committee ... by notice in writing of the matter about which the decision is to be made". To streamline this process it is proposed that a notice be included on the front of the Cabinet agenda which will highlight any key decisions contained in the report, whether included in the Forward Plan or not. This could be along the lines of:

HEREFORDSHIRE COUNCIL - NOTICE UNDER REGULATION 15 OF THE LOCAL AUTHORITIES - (EXECUTIVE ARRANGEMENTS) (ACCESS TO INFORMATION) REGULATIONS 2000 (AS AMENDED)

Notice is hereby given that the following reports contain key decisions. When a decision has been made the Chairman of the relevant Scrutiny Committee will be sent a copy of the decision notice and given the opportunity to call-in the decision.

Item No	Title	Cabinet Portfolio	Scrutiny Committee	Included in Forward Plan Yes/No

- A similar notice will appear on the Cabinet Bulletin, which is sent to all Members.
- The Working Group agreed that the current arrangements appeared to work well and emphasised that, in the case of Cabinet reports, it was up to individual Members to request copies of Cabinet reports that were of interest to them. It was also agreed that the Chairman of the Scrutiny Committees had a responsibility to their Committee Members to alert them to any significant reports (especially exempt reports) which affected their particular programme area. It was also proposed that any exempt reports to Cabinet be highlighted in the Cabinet Bulletin so that members could spot them more easily.