

**Joint Overview and Scrutiny Committee of Dudley and Walsall  
Metropolitan Borough Councils – 11<sup>th</sup> December, 2007.**

**Report of the Director of Law and Property**

**Terms of Reference and Membership**

**Purpose of Report**

1. To submit the terms of reference for the Joint Overview and Scrutiny Committee of Dudley and Walsall Metropolitan Borough Councils.

**Background**

2. Section 7 of the Health and Social Care 2001 Act requires NHS bodies to consult on relevant Overview and Scrutiny Committees on any proposals for substantial variations or developments of Health Services.
3. The establishment of a Joint Overview and Scrutiny Committee has to be agreed by the Health and Adult Social care Select Committee in Dudley and the Health Social Care and Inclusion Scrutiny and Performance Panel in Walsall.
4. The Draft Terms of Reference for the Joint Overview and Scrutiny Committee for Dudley and Walsall Councils are set out in Appendix 1, attached to this report.
5. The Select Committee on Health and Adult Social Care of Dudley MBC, at its meeting held on 22<sup>nd</sup> November, 2007, appointed the Dudley Membership of the Joint Committee. Appointments were made in accordance with the legislative requirements providing that membership must generally reflect the political make up of the full Council and thus three Conservative Members and two Labour Members were appointed.
6. The Select Committee recognised that the Liberal Democrat Member, Councillor Lavender, would be entitled to attend the Joint Committee when meetings were in public session, however, the Committee resolved to request that the Joint Committee consider his attendance at meetings, without a voting entitlement, but by invitation of the committee.

**Finance**

7. There are no direct financial implications arising from this report.

## Law

8. Under the provisions of the Local Government Act, 2000, Overview of Scrutiny Committees must generally reflect the political make up of the full Council. The Local Government and Housing Act, 1989 enables Local Authorities to waive the political balance requirements if no member (of either authority) votes against.
9. Where a joint Committee is established, the political balance applies for each participating Local Authority unless members of all Authorities agree to waive that requirement.

## Equality Impact

10. This report complies with the Council's policies on equality and diversity. It is understood that any implications for children and young people will be considered in the joint response to the consultation paper.

## Recommendation

11. That the Joint Overview and Scrutiny Committee on Health and Adult Social Care of Dudley and Walsall Metropolitan Borough Councils agree the terms of reference as attached as Appendix 1 to the report submitted.
12. That the Joint Committee consider the request of Dudley's Select Committee on Health and Adult Social Care that a member of their Select Committee on Health and Adult Social Care, attend meetings of the Joint Committee without a voting entitlement, but by invitation of the Joint Committee.

*John Polychronakis*

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**JOHN POLYCHRONAKIS**  
**DIRECTOR OF LAW AND PROPERTY**

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## **List of Background Papers**

Minutes of the Select Committee on Health and Adult Social Care (Dudley MBC), dated 8<sup>th</sup> and 22<sup>nd</sup> November, 2007.