

Section 16

Scrutiny Committees

16.1 STATUS

The Council will appoint such Overview & Scrutiny Committees as it considers appropriate (referred to as “Scrutiny Committees”). The current Scrutiny Committees are listed in the APPENDIX to this Section with their membership and Terms of Reference.

16.2 MEMBERSHIP AND METHOD OF APPOINTMENT

Every Member of Cannock Chase District Council is eligible to be member of Scrutiny Committees except those who are members of the Executive.

Membership of Scrutiny Committees will be subject to the requirements as to political balance set out by Section 15 of the Local Government and Housing Act 1989 (as amended).

Each Scrutiny Committee will have 13 members except that:

- (i) The Wellbeing Scrutiny Committee shall, when and only when the Committee is carrying out the Statutory Functions of the Council’s Health Scrutiny Committee under the Health and Social Care Act, 2001 and Regulations made under that Act, have an additional member nominated by Staffordshire County Council who shall have full participating and voting rights during that business only.

The Council’s ‘Substitution Scheme for Committees (Part 3, Section 25 of this Constitution) shall apply, with each political group entitled to nominate one named substitute.

Scrutiny Committees shall be entitled to appoint individuals and/or representatives of organisations as non-voting co-optees.

16.3 CHAIRMAN AND VICE-CHAIRMAN

The Chairmen and Vice-Chairmen will be appointed by Council.

16.4 FREQUENCY OF MEETINGS

The meetings of each Scrutiny Committee will be held in accordance with the schedule of meetings agreed by the Council and other arrangements regarding the calling of meeting.

The Chairman of a Scrutiny Committee shall convene additional meetings of that Scrutiny Committee as required to deal with ‘call-ins’ and matters referred

to that Scrutiny Committee which cannot reasonably be considered at the next scheduled meeting.

The meetings of any time-limited panels or working groups set up by a Scrutiny Committee will be convened as their work programme requires.

16.5 AGENDA

Prior to the meeting of each Scrutiny Committee, the Managing Director will circulate to all Members of the Scrutiny Committees the Agenda and Reports to be considered by the relevant Scrutiny Committee(s) for which they are Members.

16.6 PROCEEDINGS

The Managing Director (or nominee) shall be the Clerk to the Scrutiny Committees.

The Council's Procedure Rules listed in Council Procedure Rule 22 will apply.

16.7 WORK PROGRAMME AND AGENDA ITEMS

The work programme of a Scrutiny Committee will be determined by the Committee in consultation with other stakeholders, including representatives from partner organisations.

Any Member of the Council who wishes to do so may refer an item to be included on an agenda for consideration at a future meeting of a Scrutiny committee. Such referrals must be in writing and received by the Managing Director at least 7 working days prior to the date of the meeting at which the matter is to be considered. Such referrals must be relevant to the functions of the particular Scrutiny Committee and relate to the discharge of any function of the Council.

16.8 REPORTS TO COUNCIL OR CABINET

Reports detailing the recommendations will be submitted to the Council or the Executive, which may accept, amend or reject any recommendations of a Scrutiny Committee.

16.9 ATTENDANCE BY NON-COMMITTEE MEMBERS

Any member of the Executive may, if invited by the Chairman, attend a meeting of a Scrutiny Committee for a specific item. They may answer questions and at the invitation of the Chairman, speak. The member of the Executive shall only attend for that specific item and shall leave the meeting at the conclusion of that item.

A Scrutiny Committee may require any member of the Cabinet, the Head of Paid Service, or any Head of Service to attend before it to explain in relation to matters within their remit:

- (i) any particular decision or series of decisions;
- (ii) the extent to which the actions taken implement Council policy; and/or
- (iii) the performance of the service delivered

and it is the duty of those persons to attend if so required.

The Scrutiny Committee and its panels/working groups may invite other people, external to the organisation, such as residents, stakeholders and members, officers and employees from other public sector organisations, to discuss issues of local concern and/or answer questions.

16.10 LIAISON WITH CABINET AND OTHER CHAIRMEN

Liaison meetings will be held between the Cabinet Portfolio Leader and the Chairman of the relevant Scrutiny Committee as required to facilitate a working relationship between the Executive and Scrutiny.

16.11 GENERAL ROLE

Scrutiny Committees will:

- (i) be available for consultation in accordance with the Budget and Policy Framework Procedure Rules;
- (ii) review and scrutinise decisions made by the Executive within their Terms of Reference;
- (iii) review and scrutinise current Council policies and consider future policy development within their Terms of Reference;
- (iv) review and scrutinise decisions of the Council, committees and officers within their Terms of Reference;
- (v) receive and review, having regard to the Council's Performance Management Framework, that part of the Council's Annual Performance Management report which is within their Terms of Reference;
- (vi) receive and review all matters referred to it by other committees Council Cabinet or Members relevant to the scrutiny function within their Terms of Reference;
- (vii) monitor, review and/or scrutinise the performance of the Council and its Local Strategic Partners including cross-cutting issues in relation to the discharge of the Council's functions within their Terms of Reference;
- (viii) make reports and/or recommendations to Council and/or Cabinet in connection with the discharge of any functions within their Terms of Reference.

16.12 SPECIFIC FUNCTIONS

- (i) exercise the right to 'call-in' for consideration the decisions within their Terms of Reference made but not yet implemented by the Cabinet (see Overview and Scrutiny Procedure Rules set out in Part 4, Section 31, of this Constitution);
- (ii) question and gather evidence from any person (with their consent) deemed reasonably necessary to discharge its role and functions;
- (iii) review and scrutinise the performance of the Council, Cabinet and Officers in relation to Council priorities, policy objectives, performance & partnership matters, performance targets and/or particular service areas within their Terms of Reference.
- (iv) question members of the Cabinet and Chief Officers about their performance in relation to significant and/or major initiatives or projects within their Terms of Reference;
- (v) if a Scrutiny Committee thinks that a key decision has been taken without compliance with the provisions of the Constitution, it may require the Cabinet to submit a report to the Council.

16.13 PROCEEDINGS OF A SCRUTINY COMMITTEE

A Scrutiny Committee will conduct its proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4, Section 31, of this Constitution.

16.14 TIME-LIMITED PANELS

A Scrutiny Committee may set up panels to consider specific issues and report back on their findings. These panels will be time-limited to the duration of the review.

A Scrutiny Committee may also set up working groups as it considers appropriate to investigate and report back on issues.

APPENDIX

Scrutiny Committee	Terms of Reference
Promoting Prosperity (13 Members)	<i>PDP: Promoting Prosperity</i> <ul style="list-style-type: none"> • Economic Development and Planning; • Building Control; Markets; • Land and Property Holdings (excluding HRA property); • Town Centre Regeneration. • Housing Services.
Wellbeing (13 Members +1 SCC Member for Health Scrutiny Statutory Functions)	<i>PDP: Community Wellbeing (Culture & Sport and Health & Wellbeing matters)</i> <ul style="list-style-type: none"> • Culture and Sport (including Parks and Open Spaces); • Bereavement Services; • Grounds Maintenance; • Countryside Services and Trees; • Allotments. • Health and Wellbeing; • Environmental Health and Licensing; • Local Taxation and Benefits. • Health Scrutiny Statutory Functions.
Community (13 Members)	<i>PDP: Community Wellbeing (Crime & Partnerships and Environment matters)</i> <ul style="list-style-type: none"> • Community Safety; • CCTV; • Partnerships. • Street Cleansing; • Waste & Engineering Services. • Environmental Protection and Private Sector Housing.
Corporate (13 Members)	<i>PDP: Corporate</i> <ul style="list-style-type: none"> • Corporate Issues; • Budget Consultation; • Finance; • Civic Support; • Corporate, Support and Shared Services.