

# 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 11 members except that:

- (i) The Council has agreed a Code of Joint Working between the District Council and Staffordshire County Council in relation to Overview and Scrutiny of health matters.
- (ii) In accordance with the agreed Code:
  - (a) The County Council shall discharge the overview and scrutiny function under the Health and Social Care Act 2001 and subsequent guidance including the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
  - (b) The Chair of the Health, Wellbeing, and The Community Scrutiny Committee will be appointed to Staffordshire County Council’s Health and Care Overview and Scrutiny Committee.
  - (c) The County Council is entitled to appoint one of its members to the Health, Wellbeing, and The Community Scrutiny Committee who will sit as an additional member on that committee in relation to health matters.

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 Chair and Vice-Chair

The Chairs and Vice-Chairs 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 Chair 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 Chief Executive 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 Chief Executive (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 Chief Executive 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 Chair, attend a meeting of a Scrutiny Committee for a specific item. They may answer questions and at the invitation of the Chair, 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 Chairs**

Liaison meetings will be held between the Cabinet Portfolio Leader and the Chairs 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.
- (ix) In respect of the Committee with responsibility for Health-related matters, the Chair of that Committee shall attend all Staffordshire County Council Health and Care Overview and Scrutiny Committee meetings. In the event of not being able to attend a substitute will be nominated.

## **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
<p>Economic Prosperity</p> <p>(11 Members)</p>	<p><b>Corporate Plan Priority: Economic Prosperity</b></p> <p><b>Services / Functions</b></p> <ul style="list-style-type: none"> <li>• Economic Development</li> <li>• Planning Policy and Development Control</li> <li>• Building Control</li> <li>• Markets</li> <li>• Town Centre Regeneration</li> <li>• Car Parking Strategy</li> </ul>
<p>Health, Wellbeing, and The Community</p> <p>(11 Members +1 SCC Member for Health Scrutiny Statutory Functions)</p>	<p><b>Corporate Plan Priorities: Health &amp; Wellbeing and The Community</b></p> <p><b>Services / Functions</b></p> <ul style="list-style-type: none"> <li>• Culture and Sport</li> <li>• Commonwealth Games</li> <li>• Health Scrutiny Statutory Functions</li> <li>• Housing and Homelessness</li> <li>• Community Safety, CCTV and Partnerships</li> <li>• Disabled Facilities Grants</li> <li>• Voluntary Organisations and Funding</li> <li>• Poverty Emergency</li> <li>• Asylum Seekers and Refugees</li> <li>• Building of Council Housing and Retrofitting</li> <li>• Parks and Open Spaces</li> <li>• Grounds Maintenance</li> <li>• Countryside Services, Trees, and Allotments</li> <li>• Environmental Health and Licensing</li> <li>• Environmental Protection</li> <li>• Private Sector Housing</li> <li>• Street Cleansing</li> <li>• Waste &amp; Engineering Services</li> <li>• Bereavement Services</li> </ul>
<p>Responsible Council</p> <p>(11 Members)</p>	<p><b>Corporate Plan Priority: Responsible Council</b></p> <p><b>Services / Functions</b></p> <ul style="list-style-type: none"> <li>• Budget Consultation</li> <li>• Corporate / Cross Cutting Issues</li> <li>• Finance</li> <li>• Council Tax and National Non-Domestic Rates Collection</li> <li>• Housing Benefit and Local Council Tax Reduction</li> <li>• Corporate, Support and Shared Services</li> <li>• Civic Support</li> <li>• Land and Property Holdings (excluding HRA Property)</li> </ul>