

## PART 12

### APPENDIX D OVERVIEW AND SCRUTINY PROCEDURE RULES - EXTRACT

#### 1. Arrangements for Overview and Scrutiny

The Council will appoint an Overview and Scrutiny Board, as set out in Article 6 of this Constitution.

- a. The Overview and Scrutiny Board will have responsibility for the Council's overview and scrutiny and call-in functions, scrutiny of the budget, petitions, Councillor Calls for Action and scrutiny of the Crime and Disorder Reduction Partnership.
- b. The Overview and Scrutiny Board will establish time limited Task Groups, the terms of reference of which will be agreed by the Board, to investigate issues in depth and agree reports prepared by the Task Groups; or itself undertake selected reviews.
- c. The Overview and Scrutiny Board will have responsibility for monitoring performance improvement, identifying unsatisfactory progress or performance and making recommendations on remedial action to the Cabinet
- d. The Overview and Scrutiny Board will have responsibility for monitoring the Council Plan and the Sustainable Community Strategy and making recommendations to Cabinet.

1.1 The Overview and Scrutiny Board will comprise 11 Councillors. All Councillors except members of the Cabinet may be members of the Overview and Scrutiny Board.

~~1.2 Where a Member of the Overview and Scrutiny Board is unable to attend a board meeting a substitute may attend in his or her place. There will be a named substitute for each member of the Board who will be kept informed of all of the business of the Overview and Scrutiny Board, including receiving copies of the agenda for meetings of the Board, so that they are fully informed when attending meetings on behalf of the lead Member. The ability to appoint a substitute may only be exercised by Overview and Scrutiny Board members on up to two occasions during each municipal year. In extenuating circumstances and upon application to the Chairman of the Overview and Scrutiny Board, this may be waived. This rule does not apply to task group meetings.~~

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#### 1.2

1.3 The Overview and Scrutiny Board may (except in relation to call-ins) appoint such Task Groups as it considers appropriate to enable it to perform the overview and scrutiny functions on behalf of the Council. The size of each Task Group will vary according to the purpose for which it is established.

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The terms of reference, the chairmanship and membership [of a Task Group](#) shall be agreed by the [Overview and Scrutiny](#) Board.

### 2. Co-optees

- 2.1 The [Overview and Scrutiny](#) Board shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees of the [Overview and Scrutiny](#) Board.

### 3. Meetings of the [Overview and Scrutiny Board](#) Boards

- 3.1 There shall be at least 9 ordinary meetings of the Overview and Scrutiny Board in each year.
- 3.2 There shall be not less than 1 meeting every 12 month period of the Overview and Scrutiny Board in its capacity to scrutinise and review the Council's responsibilities for the crime and disorder functions.
- 3.3 Extraordinary meetings may be called from time to time as and when appropriate.
- 3.4 An extraordinary meeting may be called by the Chairman [or any 3 members](#) of the [Overview and Scrutiny](#) Board, ~~or by any 3 members of the Board.~~

### 4. Quorum

The quorum for meetings of the Overview and Scrutiny Board shall be 6.

### 5. Participation in Meetings

No member may be involved in scrutinising a decision in which he/she has been directly involved. If any member of ~~a~~ [the Overview and Scrutiny](#) Board finds that a decision in which he/she has been directly involved is to be scrutinised, he/she shall declare the fact to the [relevant Overview and Scrutiny](#) Board and take no part in the discussion and voting in the part of the meeting which relates to that decision.

### 6. Chairman

- 6.1 At its first meeting following the Annual Council Meeting the [Overview and Scrutiny](#) Board will:
- appoint one of its members as Chairman; and
  - appoint one of its members as Vice-Chairman.

### 7. Work Programme

- 7.1 The Overview and Scrutiny Board will be responsible for setting its own work

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programme and in doing so shall make provision for:-

- a. the views of members of the Overview and Scrutiny Board who are not members of the largest political group on the Council;
- b. the Cabinet Work Programme;
- c. suggestions of matters for scrutiny made by the Council or by Cabinet;
- d. suggestions of matters for scrutiny made by the Leader arising from his/her quarterly meeting with the ~~Chairmen~~ Chairman of the Overview and Scrutiny Board and the Chairman of Audit, Standards & Governance Committee in accordance with paragraph 7.2 below;
- e. suggestions of matters for scrutiny made by Councillors, members of the public or partner organizations;
- f. Councillor Calls for Action;
- g. Scrutiny of the Crime and Disorder Reduction Partnership;
- h. Petitions referred to the Overview and Scrutiny Board by the Chief Executive and Monitoring Officer;
- i. Scrutiny of the budget (Medium Term Financial Plan);

### 7.2 The placing of items on the work programme is subject to the following limitations: -

- a. That no item that has previously been considered in the preceding 6 months be placed on the work programme unless, in the opinion of the Chairman of the Board, having taken advice from Officers, there has been a significant change in circumstances.
- b. That the Overview and Scrutiny function does not permit the scrutiny of individual applications for example in relation to the granting of planning permission, or of licences or other regulatory processes. In accordance with The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) scrutiny of functions which cannot by law be the responsibility of the Executive cannot be undertaken. This category includes functions relating to town and country planning and development control and functions relating to licensing and regulation.

~~7.2 The Leader shall meet quarterly with the Chairman of the Overview and Scrutiny Board and the Chairman of the Audit, Standards & Governance Committee with appropriate officers in attendance to review and, where appropriate, co-ordinate their respective work programmes.~~

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### 8. Procedure at [Overview and Scrutiny Board](#) ~~M~~meetings

8.1 The Overview and Scrutiny Board shall at each meeting consider the following business:

- a. consideration of the accuracy of the minutes of the last meeting;
- b. declarations of interest (including whipping declarations);
- c. responses of the Cabinet to reports of the Overview and Scrutiny Board;
- d. the Cabinet Work Programme;
- e. progress on on-going overview and scrutiny exercises (if appropriate);
- f. reports from the quarterly meetings between the Leader and Chairmen of the Overview and Scrutiny Board and [the Chairman of the Audit, Standards & Governance Committee](#) (if appropriate);

g. matters set out on the agenda for the meeting in accordance with paragraph 9 below;

g.

h. consideration of any matters referred to the Overview and Scrutiny Board in relation to call-in of a decision;

h.

i. any petitions referred by the Chief Executive or the Monitoring Officer;

i.

j. any Councillor Calls for Action which have been received;

j.

k. scrutiny of the Medium Term Financial Plan ( if appropriate);and

l. scrutiny of the Crime and Disorder Reduction Partnership.

### 9. Agenda items

9.1 Any member of the [Overview and Scrutiny](#) Board shall be entitled to give notice to the Chief Executive that he/she wishes an item relevant to the functions of the [Overview and Scrutiny](#) Board to be included on the agenda for the next available meeting of the [Overview and Scrutiny](#) Board. On receipt of such a request the Chief Executive will ensure that it is included on the next available agenda.

9.2 Where a matter is referred to the [Overview and Scrutiny](#) Board by the Council (including a matter referred by the Monitoring Officer under Council Procedure Rule 11.10), it shall be considered at either the first or second ordinary meeting of the [Overview and Scrutiny](#) Board following the referral.

9.3 The [Overview and Scrutiny](#) Board shall also respond, as soon as their work

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programme permits, to requests to review particular areas of Council activity from the Council, the Cabinet or the Leader ~~(arising from his/her quarterly meeting with the Chairmen of the Overview and Scrutiny Board, and the Chairman of the Audit, Standards & Governance Committee).~~