

POLICY DEVELOPMENT GROUP

PURPOSE

The scrutiny function is carried out by PDG. It supports the work of the Cabinet and the full Council. It allows citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery.

PDG also monitors Cabinet decisions and can 'call-in' a decision which has been made but not yet implemented. This enables it to consider whether the decision is appropriate.

PDG may be consulted by Cabinet or the Council on forthcoming decisions and the development of policy.

TERMS OF REFERENCE

PDG will undertake or request reviews of policy.

PDG is not able to take decisions but makes recommendations to either Cabinet or Full Council.

There are two elements to the work of PDG:

- Able to "call-in" executive decisions taken but not implemented by Cabinet or portfolio holders, in line with the call-in procedure set out in the Scrutiny Procedure Rules.
- Able to undertake detailed reviews of issues either within or outside the Council.

GENERAL ROLE OF PDG

Effective overview and scrutiny is essential to enhance the accountability and transparency of the decision making process. PDG has a key function in holding the Cabinet to account.

PDG's role in relation to the development of the Council's budget and policy framework is set out in detail in the Budget and Policy Framework Procedure Rules.

Within its terms of reference, PDG will:

- review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions other than development control and other quasi-judicial matters;
- make reports and/or recommendations to Full Council and/or Cabinet in connection with the discharge of any functions;
- consider any matter affecting the district or its inhabitants;
- exercise the right to call-in, for reconsideration, executive decisions made but not yet implemented by Cabinet or portfolio holders;
- take an overview of policy development in line with the priorities of the Council; and
- exercise powers for the Community Call for Action;
- In accordance with the Crime and Disorder (Overview and Scrutiny) Regulations 2009, act as the crime and disorder committee of the Council.

PDG may, in relation to matters within its terms of reference, hold enquiries and investigate the available options for future direction in policy development and may appoint advisors and assessors to assist it in this process. It may go on site visits, conduct public surveys, hold public meetings,

commission research and do all other things that it reasonably considers necessary to inform its deliberations. It may ask witnesses to attend to address it on any matter under consideration and may pay to any advisors, assessors and witnesses a reasonable fee and expenses for doing so.

CO-OPTees

PDG shall be entitled to recommend to Council the appointment of a number of people as non-voting co-optees.

MEETINGS

There shall be no more than four meetings of PDG per municipal year. In addition, meetings may be called from time to time to consider matters called in.

REPORTS FROM PDG

Once it has formed recommendations on proposals for development, PDG will prepare a formal report and submit it to the Proper Officer for consideration by Cabinet if the proposals are consistent with the existing budgetary and policy framework; or to Council as appropriate (e.g. if the recommendation would require a departure from or a change to the agreed budget and policy framework).

If PDG cannot agree on one single final report to Council or Cabinet, then up to one minority report may be prepared and submitted for consideration by Council or Cabinet with the majority report.

MEMBERS AND OFFICERS GIVING ACCOUNT

PDG may monitor and review decisions made or actions taken in connection with the discharge of any Council functions, insofar as they relate to matters within its terms of reference. As well as reviewing documentation, in fulfilling the monitoring role, it may require any member of Cabinet, the Head of Paid Service and/or any officer of principal level or above to attend before it to explain in relation to matters within their remit:

- any particular decision or series of decisions;
- the extent to which the actions taken implement Council policy; and/or
- their performance.

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

ATTENDANCE BY OTHERS

PDG may invite people other than those people referred to above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend.

CALL-IN

Call-in should only be used in exceptional circumstances. These are where members of PDG have evidence which suggests that Cabinet did not take the decision in accordance with the principles set out in Article 13 (Decision Making).

When a decision is made by Cabinet or a group of the Cabinet, or a key decision is made by an officer with delegated authority, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within 7 days of being

made. The PDG Chairman will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.

That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless any two members (or more) objects to it and require in writing that the decision be called in.

During that period, the Head of Legal and Support Services shall call-in a decision for scrutiny by PDG and shall then notify the decision taker of the call-in. A meeting of PDG shall be convened to consider the call-in. The Head of Legal and Support Services, in consultation with the Head of Paid Service and Section 151 Officer, may reject a request for call-in if, in their opinion, it is repetitious, vexatious or fails to set out any grounds which might reasonably cause Cabinet to change their decision.

If, having considered the decision, PDG is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to Council. If referred to the decision maker they shall then reconsider, amending the decision or not, before adopting a final decision.

If the matter was referred to Council and Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if Council does object, it has no locus to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, Council will refer any decision to which it objects back to the decision making person or body, together with Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by Cabinet the matter will be referred to the next scheduled meeting. Where the decision was made by an individual, the individual will reconsider the decision within 10 working days of Council's request.

Exceptions

In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:

- that PDG may only call-in 4 decisions per year;
- once a member has signed a request for call-in, he/she may not do so again until a period of 3 months has expired.