

### SECTION 5 - BODIES EXERCISING COUNCIL FUNCTIONS

#### 2. SCRUTINY

##### 2.1 SCRUTINY COMMITTEES

2.1.1 There shall be two Scrutiny Committees as follows:

**The Corporate Scrutiny Committee**

**The Community Scrutiny Committee**

2.1.2 ***Each*** Scrutiny Committee shall be constituted as follows:

**Membership:** Ten councillors

**Quorum:** Three members

2.1.3 Number of Meetings

(a) Each Scrutiny Committee shall meet five times per year.

(b) In addition, meetings of either Scrutiny Committee may be convened from time to time to consider matters called in, but only if timescales do not permit the called in matter to be considered at the next scheduled meeting of either Scrutiny Committee.

##### 2.2 SCRUTINY COMMITTEES – TERMS OF REFERENCE

2.2.1 The two Scrutiny Committees shall have equal status and equal functions as set out in these Terms of Reference

2.2.2 Either Scrutiny Committee may receive reports and comment on any matter of policy or item of business where necessary for the urgent review of the same. Where urgent review is not necessary, each Scrutiny Committee shall be responsible for the following themed areas:

<b>Corporate Scrutiny Committee</b>	<b>Community Scrutiny Committee</b>
Asset Management	Business/Economy
Estates and property	Planning and Building Control
Audit	Tourism
Communications	Partnerships
Customer Services	Community Safety
Finance	Leisure
Human Resources	Health and Wellbeing

ICT	Stronger Safer Communities
Legal Services	Environmental Health
Revenue and Benefits	Licensing
Shared Services	Environmental Protection
Review of Constitution	Statutory crime and disorder committee
	Strategic Housing – Housing Strategy
	Housing Management
	Economic Development
	Regeneration
	Waste Services

2.2.3 The table set out in paragraph 2.2.2 is a non-exhaustive list and each committee may receive reports and comment on matters of policy or items of business of a reasonably similar nature to those it is stated as responsible for in the table.

### **Attributes and Functions of Both Scrutiny Committees**

2.2.4 The Scrutiny Committees will undertake or request reviews of policy.

2.2.5 The Scrutiny Committees are not able to take decisions but make recommendations to either the Cabinet or the full Council.

2.2.6 Each Scrutiny Committee shall comprise 10 Members of the Council and shall be subject to political proportionality.

2.2.7 Any Member who is not a Cabinet Member may serve on either or both of the Scrutiny Committees.

2.2.8 There are two elements to the work of the Scrutiny Committees:

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

## **2.3 GENERAL ROLE OF THE SCRUTINY COMMITTEES**

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2.3.1 Effective overview and scrutiny is essential to enhance the accountability and transparency of the decision making process. The Scrutiny Committees have a key function in holding the Cabinet to account.

2.3.2 Where a particular issue could fall within the functions of both Scrutiny Committees the Chairs of the relevant Scrutiny Committees, following consultation with the Chief Executive, will agree which Scrutiny Committee will

consider the matter. Without prejudice to the generality of paragraph 2.2.2 above, whenever a function of a Scrutiny Committee is exercised by one of the Scrutiny Committees in relation to a matter of policy or item of business, that function may not be exercised by the other Scrutiny Committee.

2.3.3 Within their themed areas and subject to paragraph 2.3.2, the Scrutiny Committees will discharge the overview and scrutiny functions conferred by Section 9F of the Local Government Act 2000 as amended by the Localism Act 2011 and will:

- review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions (both executive and non-executive) other than development control and other quasi-judicial matters;
- make reports and/or recommendations to the full Council and/or the Cabinet in connection with the discharge of any functions;
- consider any matter affecting the district or its inhabitants;
- review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas
- question members of the Cabinet and Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions (other than decisions exercising development control functions and other quasi-judicial matters)
- exercise the right to call-in, for reconsideration, executive decisions made but not yet implemented by the Cabinet or portfolio holders;
- take an overview of policy development in line with the priorities of the Council;
- report annually to a meeting of full Council on the scrutiny function and their work; and
- exercise powers relating to the Councillor Call for Action.