

## **1. MEETINGS**

Overview and Scrutiny Committees shall meet at least four times each year at the Town Hall or such other location agreed by the Chairman. Additional meetings may be called from time to time by the Chairman, the Chief Executive, the Monitoring Officer or by any three Members of the Committee.

## **2. WHO MAY SIT ON OVERVIEW AND SCRUTINY COMMITTEES?**

All Councillors, except members of the Cabinet, may be members of an Overview and Scrutiny Committee. However, no member may be involved in scrutinising a decision which he/she has been directly involved. Should a member be present at a meeting of an overview and scrutiny committee which is considering a decision made or action taken by another committee or sub-committee of which he/she is also a member, that member must regard him/herself as having a prejudicial interest in the matter, must disclose that interest, and (subject to any dispensation granted by the Secretary of State) must withdraw from the meeting. The Chief Executive shall record any such disclosure in a book to be kept for the purpose.

## **3. QUORUM**

The quorum shall be three Members.

## **4. WORK PROGRAMME**

Each Overview and Scrutiny Committee will be responsible for setting its own work programme having regard to its terms of reference as set out in Article 6.01. Any dispute or other issue concerning the work programme of any Overview and Scrutiny Committee will be determined by the Chairmen and Vice Chairmen of all the Overview and Scrutiny Committees acting jointly at meetings to be arranged each quarter.

## **5. AGENDA ITEMS**

- (i) Subject to (ii) the Agenda for each meeting will be determined by the Chairman.
- (ii) Any Member of an Overview and Scrutiny Committee (or any other Member of the Council who is not a member of the relevant Overview and Scrutiny Committee with the consent of the Chairman or in his/her absence the Vice Chairman) shall be entitled to give notice to the Chief Executive that he/she (they) wish an item relevant to the functions of that Overview and Scrutiny Committee to be placed on that Committee's agenda. On receipt of such a request the Chief Executive will include an item on the next available agenda.

## **6. REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES**

All reports from Overview and Scrutiny Committees shall be included on the agenda of the next available meeting of the Council, Cabinet or Sub-Committee as appropriate.

## **7. RIGHTS OF OVERVIEW AND SCRUTINY COMMITTEE MEMBERS TO DOCUMENTS**

In addition to their rights as Councillors, members of Overview and Scrutiny Committees have the additional rights to documents, as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

## **8. MEMBERS AND OFFICERS GIVING ACCOUNT**

An Overview and Scrutiny Committee may require any member of the Cabinet, the Head of Paid Service, any Chief Officer or Head of Service to attend before it to explain in relation to matters within its remit:

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

It is the duty of those members or officers to attend if so required and to answer any question, (other than questions which they would be entitled to refuse to answer in a Court of Law), unless there are exceptional circumstances which make it impossible or impracticable for the Member or Officer to attend.

## **9. ATTENDANCE BY OTHERS**

An Overview and Scrutiny Committee, or its Chairman, may invite people other than members and Officers referred to above including residents, stakeholders and members and officers in other parts of the public sector, to address it, discuss issues of local concern and/or answer questions.

## **10. CALL-IN – EXECUTIVE DECISIONS**

*(Note: Powers of call-in only apply to the exercise of executive functions. A non-executive decision cannot be the subject of a call-in).*

- (i) All executive decisions (whether of the Cabinet, a Sub-Committee of the Cabinet, an Individual Cabinet Member, Area Committee or Joint Committee) shall be published, by the Chief Executive whenever practicable, within two working days of the decision being made and copies will be sent to all Members of the Overview and Scrutiny Committees.
- (ii) Notice of an executive decision made by Cabinet 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 five clear working days after the publication of the decision, unless any five Members of Overview and Scrutiny Committees, complete a “Call-in Requisition Form”, requiring that the decision be called in for scrutiny by the relevant Overview and Scrutiny Committee.
- (iii) Notice of an executive decision made by an Individual Cabinet Member 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 three clear working days after the publication of the decision, unless any five Members of Council, complete a “Call-in Requisition Form”, requiring that the decision be called in for scrutiny by the relevant Overview and Scrutiny Committee.
- (iv) In addition to being signed by five Members of Overview and Scrutiny Committees, the Call-in Requisition Form shall be countersigned by the Chairman, or in his absence, the Vice Chairman of the relevant Overview and Scrutiny Committee to indicate that he/she has been consulted on the subject matter of the call-in.
- (v) Any decision called in in accordance with these Rules shall be referred to the next meeting of the relevant Overview and Scrutiny Committee for consideration. Any decision requiring urgent implementation shall be identified as such by the Chief Executive or in his/her absence the Strategic Director of Corporate Services, or other officer nominated by either of them and notified in writing to the Chairman of the relevant Overview and Scrutiny Committee, (or in his/her absence the Vice Chairman), who may determine that the decision shall be called in for urgent scrutiny. In the event that the decision is not called in for urgent scrutiny it may be implemented after two clear working days from the date of the notification.
- (vi) In the event that the Chairman (or Vice Chairman in his absence) of a relevant Overview and Scrutiny Committee calls in a decision for urgent scrutiny, a meeting of the relevant Overview and Scrutiny Committee shall be called to take place as soon as possible and in any event within five clear working days of the date of the decision to call in.
- (vii) When considering a decision called in under the above Procedure Rules, an Overview and Scrutiny Committee may:

- (a) recommend that a decision made but not implemented be reconsidered by the decision maker setting out in writing the reasons for its recommendations; or
  - (b) refer the decision to the Full Council (but only where it considers that the decision is contrary to the policy framework or budget) for the Council to determine whether or not the decision should be reconsidered by the decision maker.
- (viii) In the event of an Overview and Scrutiny Committee referring an Executive Decision to the Council, the Council may:
  - (a) determine that the decision was contrary to the policy framework or budget and therefore a matter for the Council itself to determine, or
  - (b) determine that the decision was not contrary to the policy framework or budget and therefore a matter for the decision maker to determine. In this case the Council may either request the decision maker to reconsider the decision or determine to take no action.
- (ix) A decision may only be called in once under these Call-in Procedure Rules.

