

Part 2.4 – Overview and Scrutiny Committee

1. Overview

- 1.1 Effective scrutiny arrangements are an essential component of local democracy, enhancing accountability and transparency of decision making and enabling local councillors to represent the views of their constituents. These arrangements have been established to enable local councillors, on behalf of their communities, to scrutinise and challenge the Cabinet and the Mayor and to consider matters of strategic importance to residents within the Authority's area with a view to influencing their decisions.

2. Membership

- 2.1 The Cabinet shall appoint an Overview and Scrutiny Committee which shall consist of 2 members of each of the constituent councils (who are not Cabinet Members or Substitute Members of the Authority) in such a manner that the members of the Overview and Scrutiny Committee taken as a whole reflect, so far as reasonably practicable, the balance of political parties for the time being prevailing among members of the constituent councils when taken together;
- 2.2 The Cabinet shall also appoint as substitute members (for those mentioned in paragraph 2.1 above) 2 members of each of the constituent councils (who are not Cabinet Members or Substitute Cabinet Members of the Authority) in such a manner that the members of the Overview and Scrutiny Committee taken as a whole reflect, so far as reasonably practicable, the balance of political parties for the time being prevailing among members of the constituent councils when taken together.
- 2.3 Substitute members of the Committee may attend the meetings of the Committee to act in the place of an ordinary member of the Committee appointed under paragraph 2.1.

3. Quorum

- 3.1 No business of the Committee shall be transacted unless two-thirds of the members are present.

4. Chair

- 4.1 The Chair of the Committee will be an "Appropriate Person" (as defined in paragraph 3(5)(a) of Schedule 5A of the Local Democracy, Economic Development and Construction Act 2009) which means that the Chair shall be a member of one of the constituent councils appointed under paragraph 2.1 above and:
- 4.1.1 (where the Mayor is a member of a registered political party) the Chair may not be a member of the same registered political party; or
 - 4.1.2 (where the Mayor is not a member of a registered political party) the Chair may not be a member of the political party with the most members of the constituent councils taken together.
- 4.2 The Chair of the Committee shall be appointed annually by the Cabinet at its Annual Meeting.

5. Terms of Reference

5.1 The Overview and Scrutiny Committee can:

- 5.1.1 Review or scrutinise decisions made, or other actions taken, by the Cabinet or the Mayor in connection with the discharge of any functions which are the Cabinet's or the Mayor's responsibility. (In exercising this function, the Committee may also direct that a decision is not to be implemented whilst it is under review or scrutiny and, furthermore, to recommend that the decision be reconsidered – this is referred to in this Constitution as “call-in”.)
- 5.1.2 Make reports or recommendations to the Cabinet or the Mayor (as appropriate) with respect to the discharge of their functions or on matters of strategic importance that affect the Combined Area or inhabitants.
- 5.1.3 Review the performance of the Cabinet and Mayor against objectives within their strategies and policies.
- 5.1.4 Facilitate the exchange of information about the work of the Cabinet and the Mayor and share information and outcomes from reviews.

6. Overview and Scrutiny Procedure Rules

- 6.1 In carrying out its role the Committee shall at all times comply with the Overview and Scrutiny Procedure Rules at Part 3.3 of this Constitution and shall, in particular, be mindful of the key principles of scrutiny set out therein.

7. Delegation

- 7.1 The Overview and Scrutiny Committee may establish such subcommittees, panels and ad-hoc working groups as it considers necessary to assist it and will do so in accordance with the key principles of scrutiny set out in the said procedure rules.