



## Democratic Renewal Working Party 26 April 2012

### Amendment to Constitution: Overview and Scrutiny Committee agenda

#### SUMMARY

1. As the Constitution currently stands, only Members of the Overview and Scrutiny Committee, or 5 non-Members of the Committee, may place items for consideration on the Committee's agenda.
2. This is normal practice in most Councils, and is why Councillor Call for Action was brought in, which allows any Member of the Council to bring issues to scrutiny's attention, but under much stricter rules.
3. From July 2011 the Overview and Scrutiny Committee changed its way of working, from an annual work programme, with review suggestions made once per year, to a rolling work programme with reviews added at any time. This change means that we no longer have the annual work programme setting process, whereby all Members have traditionally been asked to make suggestions for reviews.

#### PURPOSE OF THE REPORT

The report suggests an amendment to the Constitution, to allow any Member to put forward suggestions for a scrutiny or policy review.

#### Contact Details

Name  
Telephone  
E-mail

#### Chairman

Patricia Warby  
(01284) 704138  
[patricia.warby@stedsbc.gov.uk](mailto:patricia.warby@stedsbc.gov.uk)

#### Chairman of Overview and Scrutiny Committee

David Nettleton  
(01284) 702212  
[david.nettleton@stedsbc.gov.uk](mailto:david.nettleton@stedsbc.gov.uk)

Name  
Telephone  
E-mail

#### Scrutiny Manager

Adriana Stapleton  
(01284) 757613  
[adriana.stapleton@stedsbc.gov.uk](mailto:adriana.stapleton@stedsbc.gov.uk)

# Democratic Renewal Working Party

## 26 April 2012

### Amendment to Constitution: Members placing items on the Overview and Scrutiny Committee agenda

#### 1. Background

- 1.1 The Overview and Scrutiny Procedure Rules in Part 4 of the Council's Constitution only allows for Members of the Overview and Scrutiny Committee, or 5 non-Members of the Committee, to place items for consideration on the Committee's agenda (other than as Councillor Calls for Action), as follows:

*8.1 Any Member of the Overview and Scrutiny Committee shall be entitled to give notice to the proper officer that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the proper officer will ensure that it is included on the next available agenda.*

*8.2 Any 5 Members of the Council who are not Members of the Overview and Scrutiny Committee may also give written notice to the proper officer that they wish an item to be included on the agenda of the Overview and Scrutiny Committee. If the proper officer receives such a notification, then he/she will include the item on the first available agenda of the Overview and Scrutiny Committee for consideration by the Committee.*

- 1.2 This is normal practice in most Councils, and is why Councillor Call for Action was brought in, which allows any Member of the Council to bring something to scrutiny's attention, but under much stricter rules. The Constitution also requires the Committee to take into account the Cabinet's review programme, which it does by considering suggestions for reviews from officers, and to consider requests for reviews from other Committees.

#### 2. Work Programme Setting

- 2.1 From July 2011 the Overview and Scrutiny Committee changed its way of working, from an annual work programme with review suggestions made once a year, to a rolling work programme with reviews added at any time. This change means that the Committee no longer has the annual work programme setting process, whereby all Members have traditionally been asked to make suggestions for reviews.
- 2.2 The Chairman of the Committee does not wish to restrict non-Members of the Committee from suggesting items for scrutiny, and the way to achieve this would be to amend the Constitution to allow any Member to make suggestions for reviews.

### **3. Recommendations**

3.1 That Paragraphs 8.1 and 8.2 of the Overview and Scrutiny Procedure Rules in Part 4 of the Council's Constitution be replaced with the following paragraph, and that the existing Paragraph 8.3 be re-numbered 8.2:

8.1 Any Member of the Council shall be entitled to give notice to the proper officer that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the proper officer will ensure that it is included on the next available agenda. The request must be made by way of the "suggestion for scrutiny" form available on the Council's website or on request, in order to ensure the Committee has all the information it needs to decide whether to take the issue forward.

W:\Democratic WP Services\Committee\Reports\Democratic Renewal Working Party\2012\12.04.26\C446 Amendment to Constitution - O&S Committee agenda.doc