

West Suffolk Shadow Council

Article 7 – Shadow Scrutiny Committee

7.1 Introduction

7.1.1 It is important that the Shadow Council has appropriate scrutiny mechanisms to enhance the accountability and transparency of its decision making. Accordingly, this Article establishes the scrutiny functions of the Shadow Council.

7.2 Performing the Shadow Scrutiny Functions:

7.2.1 The Shadow Council will appoint a Shadow Scrutiny Committee of up to 13 members, consisting of up to 8 members drawn from the membership of the St Edmundsbury Borough Council Overview and Scrutiny Committee and up to 5 members drawn from the membership of the Forest Heath District Council Overview and Scrutiny Committee, including both Chairmen of the Overview and Scrutiny Committees of Forest Heath District Council and St Edmundsbury Borough Council. No member of the Shadow Executive may be a member of the Shadow Scrutiny Committee.

7.2.2. The primary functions of the Shadow Scrutiny Committee is:

- (a) To support and facilitate the work of the Shadow Council in discharging its duty to prepare for the assumption by West Suffolk Council of full local authority functions and powers on 1 April 2019, as provided in the Implementation Order.
- (b) To receive and comment on reports by the Shadow Executive on the progress of preparations for the implementation of West Suffolk Council on 1 April 2019.
- (c) To review those preparations and related decisions.
- (d) To comment and/or make recommendations to the Shadow Executive and/or Shadow Council, as appropriate to their respective powers and duties under the Implementation Order and the Shadow Council's Constitution.
- (e) To scrutinise decisions which the Shadow Executive is planning to take, as set out in the Decisions Plan or of which proper notice is given (including decisions referred to it in accordance with paragraph 6.6.2 of Article 6);

- (f) To scrutinise decisions of the Shadow Executive and individual portfolio holders before they are implemented and if necessary using the “call-in” mechanism to require the decision taker to reconsider the earlier decision;

7.2.2 In discharging the functions described in 7.2.1 above, the Committee shall have the powers conferred by Section 21 of the Local Government Act 2000 and shall conduct its proceedings in accordance with the Shadow Scrutiny Committee Procedure Rules, set out in Part 4 of this Constitution.

7.3 Performance and Audit Scrutiny Committee

7.3.1 Scrutiny of the performance of the West Suffolk Shadow Council may be undertaken jointly by the Performance and Audit Scrutiny Committees of Forest Heath District Council and St Edmundsbury Borough Council.

7.3.2 The Committee will assist the Shadow Council and the Shadow Executive in the development of the budget framework.

7.4 Proceedings of the Scrutiny Committees

7.4.1 Where meeting to perform scrutiny of the Shadow Council, the Shadow Scrutiny Committee will conduct their proceedings in accordance with the Shadow Scrutiny Committee Procedure Rules set out in Part 4 of this Constitution.

7.5 Work Programme

7.5.1 The Shadow Scrutiny Committee Rules of Procedure in Part 4 of this Constitution explains that the powers and functions of the Shadow Council under the Implementation Order are limited to preparing the Shadow Council for the assumption of full local authority functions and powers on 1 April 2019. Consequently, the powers and functions of its Shadow Executive and Shadow Scrutiny Committee are similarly limited. It is not expected that a formal work programme will be developed for the Shadow Scrutiny functions, but instead:

- a) The members of the Shadow Scrutiny Committee may request to meet to consider items within their remit outlined at paragraph 7.2 above;
- b) The Leader of the Shadow Council or Shadow Executive may request the Scrutiny Committee meet

to consider decisions or policies that the Shadow Council intends to implement.

7.6 Working Methods

7.6.1 The following principles should be adhered to by the Shadow Scrutiny Committee when carrying out their work:-

- (a) a variety of different approaches and formats for meetings may be used;
- (b) the declaration of interest rules shall apply;
- (c) the imposition of the Party Whip is regarded as incompatible with the work of the Council's Shadow Scrutiny Committee;

7.7 Support

7.7.1 In order that the Shadow Scrutiny Committee can perform its roles properly, it shall be given the following support:-

- (a) effective and properly resourced support from officers;
- (b) appropriate financial resources;
- (c) access to the advice of the Council's Interim Monitoring Officer;
- (d) the ability to require Members of the Shadow Executive and officers to attend to answer questions;