

Development Control

1 – Remit

The Development Control Committee is authorised to undertake (or sub-delegate) all of the Council's functions relating to town and country planning, development control, the protection of hedgerows and trees, as specified in Parts A and I of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended by subsequent Regulations), that are not otherwise delegated to Officers.

The Committee is also authorised to exercise the Council's Local Choice Functions in relation to the obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land and the obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 (as specified in the Responsibility for Local Choice Functions) that are not otherwise delegated to Officers.

In summary, the area of responsibility of this Committee includes all matters relating to the administration of Town and Country Planning legislation, Listed Building and Conservation Area legislation, Hazardous Substances legislation and the Building Acts and associated Regulations within the purview of the Authority as it relates to the following functions:-

- (1) The Committee determines all matters falling within their remit which are:
 - (a) Judged by the Assistant Director (Planning and Regulatory Services) (after consultation with the Chair and/or the Vice Chair(s) of the Development Control Committee) to be of such district-wide significance or to be so contentious that they should in the public interest be referred to the Committee for consideration and determination.
 - (b) Applications proposing major development (as defined in Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995) (as amended) where a Member for the Ward in which the application site is located has requested (in writing) consideration by the Committee.
 - (c) Applications proposing other than major development (as defined above) referred by the Assistant Director (Planning and Regulatory Services) following consultation with the Delegation Panel.
 - (d) Departures from the provisions of the Development Plan where planning permission is recommended for approval.
 - (e) Applications made by or on behalf of the Council.

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- (2) A Members' Delegation Panel Scheme (known as "the Panel") has been set up to advise on the level of decision with applications for Planning Permissions. The Panel is intended to deal with the items which would normally be dealt with under delegated authority but where there is a contrary view from the Town/Parish Council or where the Ward Member has requested that the application be referred to the Panel for a planning reason. Where a contrary view has been expressed the Delegation Panel advise whether the decision remains as delegated or whether the application should be referred to Committee for a decision. This will apply in cases including (but not limited to) applications from householders, advertisement matters, applications for change of use, applications for minor residential development (as defined in Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995) (as amended), applications for a variation of conditions, applications relating to hazardous substances and TPO applications/confirmations (where objections have been received).
- (3) The Panel to also advise on the level of decision of an application, in the first instance, for planning permissions on behalf of, or closely related to, an elected Member or Officer of the Council, where there are no contrary views from statutory consultees, Parish/Town Councils and third parties. The Panel will also advise where a Member of the Development Control Committee has requested, in writing, that the application should be considered by the Committee, but the local Ward Member(s) has/have not.
- (4) In cases referred to above, decisions will only be taken following consultation with the Panel which will comprise the Chair and/or Vice Chair(s) of the Development Control Committee. The Panel will have regard to the views of the local Ward Member(s) who has/have made representations in writing or at the meeting.

The Panel scheme will operate as follows:

- (a) Meeting of the Panel will normally take place fortnightly. Additional meetings of the Panel can be arranged if deemed necessary.
- (b) A list of applications to be considered at the Panel will be circulated to all Members, and a written briefing report on each case prepared and circulated to the Chair and Vice Chair(s) of the Development Control Committee and any local Member(s) or adjacent Ward Member with the approval of the Ward Member(s) who has/have made representations in writing, at least two clear working days in advance of the Panel meeting, with provision for emergency items at the discretion of the Chair or Vice Chair(s).
- (c) The local Member(s) may attend the Panel or submit representations in writing in order to make sure the Panel is clearly aware of their views and reasoning. Any other Member may attend the Panel as an observer, at the Chair's discretion.

- (d) Following discussion and views expressed at the Delegation Panel meeting, the Assistant Director (Planning and Regulatory Services) will make the decision on whether the application should be determined by Officers, or the matter will be referred to the Development Control Committee. If there is no clear consensus of views expressed, the application will be reported to the Development Control Committee.
- (e) The relevant Parish/Town Council will be informed of the decision verbally by the Council's Case Officer within two working days of the Panel meeting and will be sent written reasons within 10 working days of the Panel meeting with copies to the Chair, Vice Chair(s) of the Development Control Committee and local Member(s).
- (f) For the avoidance of doubt, Officers will determine all matters within the remit of the Development Control Committee that:
 - i) Do not meet the criteria for referral directly to the Development Control Committee.
 - ii) Do not meet the criteria for referral for consideration by the Delegation Panel.
 - iii) Are reviewed by the Delegation Panel but are not referred to the Development Control Committee

2 – Membership and meeting arrangements

- 2.1 The Committee will comprise up to 16 Members of the Authority.
- 2.2 The Committee will be appointed annually by the Council and will be politically balanced.
- 2.3 The Committee will appoint its own Chair and Vice-Chair(s).
- 2.4 The Committee will meet in accordance with a schedule of ordinary meetings approved by the Council, although meetings may be cancelled due to lack of business. Special and Extraordinary meetings of the Committee may also be called.

3 – Delegation of Functions

- 3.1 The majority of the Committee's functions will be determined by officers, as set out in Section 4 of this part of the Constitution. These delegations are subject to:-
 - (a) Any such determination is not a departure from Development Plans and adopted District and County Planning Policies.
 - (b) Statutory consultations being carried out in accordance with the Statement of Community Involvement; and
 - (c) The safeguards and consultative procedures listed in Part 1 above.

- 3.2 Those matters which will normally fall to be determined by the Committee are as defined in Part 1, paragraphs (1) (a) to (c) above. In exercising any of its functions, the Committee may refer any item to Council for a decision.

4 – Procedure at meetings

- 4.1 Procedure at meetings shall be in accordance with the Committee Procedure Rules, except as provided in 4.2 below.
- 4.2 The Committee shall have authority to determine from time to time its own arrangements for public speaking on applications, and which matters are to be included within those arrangements.

Licensing and Regulatory

1 – Remit

The Licensing and Regulatory Committee (in this Section referred to as “the Committee”) is authorised to undertake or sub-delegate all matters of a regulatory nature, other than those covered by the Development Control Committee, or which are required by statute to be licensed, and the hearing of certain appeals, other than those matters that are delegated to officers to determine.

The Committee will only hear those appeals which the Authority is required to determine. It will not take the place of any other appeals process or complaints procedure, nor will it provide a general appeal mechanism for any decision of the Authority.

2 – Membership and meeting arrangements

- 2.1 The Committee will comprise up to 15 Members. It will be appointed annually by the full Council and will be politically balanced in so far as is reasonably practicable.
- 2.2 Members appointed to the Committee must:
 - (a) Be capable of carrying out the Committee’s programme of work and anticipated number of Sub-Committee hearings for the forthcoming year, as set out in Section 3 below.
 - (b) Make themselves available to participate in the work of the Licensing Authority.
 - (c) Be required to undertake mandatory training (as set out in the Code of Practice on Licensing) on the functions and responsibilities of the Committee and its Sub-Committees in order that legislative and/or local pay policy requirements are appropriately applied. Attendance at events or delivered by other means of all updates on relevant laws will be required.

If Members do not undertake the mandatory training, then they would not be appointed to any Sub-Committees. The matter would be raised with the relevant Group Leader who would be requested to consider the Members’ ongoing appointment to the Committee.
 - (d) Be expected to act in accordance with the Code of Practice on Licensing.
- 2.3 The Committee will appoint its own Chair and Vice-Chair.

2.3.1 The Chair will:

- (a) Be elected and it will be their responsibility to make themselves aware of the full understanding of their procedural responsibilities, in accordance with the principles set out in paragraph 5.2 of Article 5 (Chairing the Council) of the Constitution.
- (b) Be responsible for Member-to-Member engagement, in particular between the Committee and the respective Portfolio Holder.
- (c) Lead on other Member-related duties including the appointment of Members of the Committee and non-voting co-optees to Task and Finish Groups.

2.4 The Committee will ordinarily be expected to meet up to four times each year and whilst it would be expected for these meetings to take place quarterly, meetings may be re-arranged in accordance with the Committee's work programme.

The substantive responsibilities of the Committee will be to:

- (a) Set the fares charged by taxis licensed throughout the District.
- (b) Confirm how the Committee will carry out the core legal functions of the Licensing Authority.
- (c) Act as a consultee on policies relevant to the remit of the Committee, where appropriate
- (d) To consider and make Public Path Orders where, following the usual informal consultation, there are objections that cannot be resolved.

2.5 With the agreement of the Chair (or the Vice-Chair in the absence of the Chair) and relevant Portfolio Holder, Extraordinary meetings of the Committee may also be called as substantive business dictates. Sub-Committee meetings are also scheduled as and when required.

3 – Delegation of functions

3.1 As set out in this responsibility for Council functions, it is assumed that any non-development control regulatory functions would be delegated to Officers unless they must be referred to the Committee.

3.2 In normal circumstances, matters will only be brought before the Committee or a Sub-Committee where there is a difficulty or an appeal against an Officer's decision. In such cases, the Assistant Director (Planning and Regulatory Services) shall consult with the Chair and Vice-Chair on whether they consider it appropriate to refer the matter to the Committee or Sub-Committee, or whether

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the matter should be delegated for Officers to determine. The Chair and Vice-Chair should be informed of any representations received in respect of the matter, including any local Member views received.

- 3.3 If the Assistant Director (Planning and Regulatory Services), following consultation with the Chair and Vice-Chair, consider that beyond reasonable doubt the outcome of the Sub-Committee would be the application or appeal would be refused, then the matter should normally be determined by Officers.
- 3.4 A Sub-Committee will comprise any three Members drawn from the full membership of the Committee and appointed for each occasion when it is needed. In addition there will be one 'reserve' Member appointed for each Sub-Committee meeting in case one of the other Members is unavailable or has to withdraw on the day. Where the Sub-Committee is considering the licensing of a specific premises, the Ward Member(s) in which the premises lies should not sit on the Sub-Committee.
- 3.5 Democratic Services will seek Members to sit on Sub-Committees with a view to achieving political balance as far as is practicable across the municipal year. All Members of the Committee should be given equal opportunities to sit on Sub-Committees following successful completion of the relevant training
- 3.6 Applications made in respect of the Licensing Act 2003 will be brought before the Committee or a Sub-Committee in accordance with any regulations published under the Act, the guidance issued under s.182 of the Act and summarised in Table B1 below.
- 3.7 Applications made in respect of the Gambling Act 2005 will be brought before the Committee or a Sub-Committee in accordance with the Scheme of Delegation summarised in Table B2 below.
- 3.8 Applications made in respect of Sex Establishments will be brought before the Committee or a Sub-Committee in accordance with the Schedule of Delegated Authority summarised in Table B3 attached.

4 – Procedure at meetings

- 4.1 Meetings of the Committee will be conducted in accordance with the Committee Procedure Rules, except when the Committee sits as a hearing, in which case the Hearing Procedure Rules will apply.

TABLE: B1

Licensing Act 2003: Delegation of Functions

The Licensing Authority has adopted the following level of delegation of functions in accordance with the general guidance issued by the Government.

Matter to be dealt with	Licensing and Regulatory Sub Committee	Officers
Application for personal licence	If a Suffolk Constabulary objection	If no objection made
Application for personal licence with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made and not withdrawn	If no relevant representation made
Application for provisional statement	If a relevant representation made and not withdrawn	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made and not withdrawn	If no relevant representation made
Application to vary designated premises supervisor	If a Suffolk Constabulary objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a Suffolk Constabulary objection	All other cases
Applications for Interim Authorities	If a Suffolk Constabulary objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant frivolous vexatious		All cases
Decision to object when local authority is a consultee and not the lead authority	All cases	
Determination of a Suffolk Constabulary representation to a temporary event notice	All cases	
Determination of application for minor variation		All cases
Determination of application for licence, or variation of licence, in respect of community premises: supervision of alcohol sales	If a Suffolk Constabulary objection is made and not withdrawn	All other cases
Determination of relevance of representation		All cases
Exercise of Responsible Authority Functions of applications and notices submitted to the licensing authority under the Licensing Act 2003 (as amended by the Police and Social Responsibility Act 2011) in accordance with the regulations.		All cases

TABLE: B2**Gambling Act 2005: Delegation of Functions**

GAMBLING ACT 2005			
Summary of permitted licensing authority delegations			
(x indicates the lowest level to which decisions can be delegated)			
Matter to be dealt with	Full Committee	Sub Committee	Officers
Final approval of three year Statement of Licensing Principles	X (as a consultee)		
Policy not to permit casinos	X (as a consultee)		
Fee Setting (when appropriate)			x
Application for premises licences		Where representations have been received and not withdrawn made	Where no representations have been received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn made	Where no representations have been received/ representations have been withdrawn
Application for transfer of a licence		Where representations have been received and not withdrawn made	Where no representations have been received/ representations have been withdrawn
Application for a provisional statement		Where representations have been received and not withdrawn made	Where no representations have been received/ representations have been withdrawn
Review of a premises licence		x	
Application for club gaming/ club machine permits		Where objections have been made (and not withdrawn)	Where no objections have been made/ objections have been withdrawn
Cancellation of club gaming/ club machine permits		x	
Applications for other permits			x
Cancellation of licensed premises gaming machine permits			x
Consideration of temporary use notice			x
Decision to give a counter notice to a temporary use notice		x	

TABLE: B3**Sex Establishments: Schedule of Delegated Authority**

Matter to be dealt with	Sub Committee* (see note below)	Officers
Grant (First or New) of an Application for the grant of any type of Sex Establishment Licence.	If a relevant objection received or Officers have concerns in respect of the application or characteristics of the locality.	All other cases
Decision on whether an objection is frivolous or vexatious.		In respect of all Applications
Decision on whether an objection is irrelevant.		All cases
Application for Waiver of Licence in respect of any type of Sex Establishment Licence.	All cases	
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being under the age of 18.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person who is for the time being disqualified from holding a licence following revocation of such a licence.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of 6 months immediately preceding the date when the application was made.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a body corporate which is not incorporated in an EEA state.		All cases
Refusal of an Application for the grant of any type of Sex Establishment Licence on the grounds of the Applicant being a person who had, within a period of 12 months immediately preceding the date		All cases

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Matter to be dealt with	Sub Committee* (see note below)	Officers
when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.		
Refusal of an Application for the grant, renewal or transfer of any type of Sex Establishment Licence on the grounds that the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason.	All cases	
Refusal of an Application for the grant, renewal or transfer of any type of Sex Establishment Licence on the grounds that if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewed or transfer of such a licence if he made the application himself.	All cases	
Refusal of an Application for the grant or renewal of any type of Sex Establishment Licence on the grounds that the number of sex establishments or of sex establishments of a particular kind, in the relevant locality at the time the application is made (determined) is equal to or exceeds the number which the authority consider is appropriate for that locality.	All cases	
Refusal of an Application for the grant or renewal of any type of Sex Establishment Licence on the grounds that the grant or renewal of the licence would be inappropriate, having regard – (i) to the character of the relevant locality; or (ii) to the use to which any premises in the vicinity are put; or (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.	All cases	

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Matter to be dealt with	Sub Committee* (see note below)	Officers
Refusal of an Application for the Variation of the terms, conditions or restrictions on or subject to which the licence is held for any type of Sex Establishment Licence.	All cases	
Revocation of a licence.	All cases	

**Although matters will normally be referred to a Sub-Committee for determination, they may be referred to the full Committee at the discretion of the Business Regulation and Licensing Manager, after consultation with the Chair and Vice-Chair*

Officer Appeals Committee

1. Membership and Meeting Arrangements
 - 1.1 Membership of the Committee will comprise six Members. In addition, two Substitute Members will be appointed.
 - 1.2 The Committee will be appointed annually by the Council and will be politically balanced.
 - 1.3 Any Member of the Council may serve on the Committee provided that they are not also a Member of the Officer Appointments Committee.
 - 1.4 The Committee will appoint its own Chair and Vice Chair.
 - 1.5 The Committee will meet on an ad hoc basis as required.
2. Functions/Remit
 - 2.1 To consider appeals against dismissal and grievances by Chief Officers of the West Suffolk Council.

Officer Appointments Committee

1. Membership and Meeting Arrangements
- 1.1 Membership of the Committee shall comprise:
 - a) Up to six Members of the Authority.
 - b) The Council's Independent Persons, if they agree to be part of the Committee.
- 1.2 In addition, two substitute Members of the authority will be appointed.
- 1.3 The Committee will be appointed annually by the Council and will be politically balanced.
- 1.4 Any Member of the Council may serve on the Committee provided that they are not also a Member of the Officer Appeals Committee.
- 1.5 The Committee must also contain at least one Member of the Cabinet.
- 1.6 The Committee will appoint its own Chair and Vice Chair.
- 1.7 The Committee will meet on an ad hoc basis as required.
2. Functions/Remit
- 2.1 To deal with the appointment, discipline and termination of employment of the Directors of the West Suffolk Council in accordance with the Officer Employment Procedure Rules

West Suffolk Standards Committee

1. Membership and Meeting Arrangements

Membership of the Committee will comprise six Members and will be politically balanced.

2. Functions/Remit

The Committee will have the following roles and functions:-

- (a) Promoting and maintaining high standards of conduct by Councillors and co-opted Members.
- (b) Assisting Councillors and co-opted Members to observe the Members' Code of Conduct.
- (c) Advising the Council on the adoption and revision of the Members' Code of Conduct.
- (d) Monitoring the operation of the Members' Code of Conduct.
- (e) Advising, training or arranging to train Councillors and co-opted Members on matters relating to the Members' Code of Conduct.
- (f) Granting dispensations to Councillors and co-opted Members from requirements relating to interests set out in Section 34 of the Localism Act 2011.
- (g) Considering a report from the Monitoring Officer in respect of an allegation of a breach of the Members' Code of Conduct.
- (h) Dealing with a report from the Monitoring Officer in respect of an allegation of a breach of the Members' Code of Conduct of a Town or Parish Council within the District of West Suffolk Council.

The Committee will not cover the conduct of Officers, for which separate provisions apply.

Health and Safety Sub-Committee

1. Overview

- 1.1 The Sub-Committee's membership will be drawn from Councillors and staff of the West Suffolk Council.
- 1.2 The Sub-Committee will consider the Council's health and safety arrangements and provide guidance to support the development of executive action by Officers of the Council, including policy guidance.
- 1.3 To provide a group of Members who can develop an enhanced level of understanding of health and safety matters.
- 1.4 To make recommendations to the Cabinet and/or Officers of the Council about policies and actions required to develop and maintain effective health and safety arrangements.
- 1.5 To advise the Performance and Audit Scrutiny Committee on the progress of their work and matters they have considered.

2. Constitution

- 2.1 The Health and Safety Sub-Committee shall comprise 12 Members. Six Councillors drawn from the membership of the Performance and Audit Scrutiny Committee, which desirably reflects the political balance of the Council, as far as practically possible (to be the 'Employers' Side'). Six members of staff (to be the 'Employees' Side'), drawn from the Officer Health and Safety Group.
- 2.2 Two Substitute Members from the Employers' side and two Substitutes from the Employees' Side.
- 2.3 It shall be the Health and Safety Manager's duty to attend and advise the Sub-Committee.
- 2.4 The Sub-Committee shall appoint a Chair and Vice-Chair from its Members. When the Chair is a Member of one side of the Sub-Committee, the Vice-Chair shall be a Member of the other side.
- 2.5 The Sub-Committee may invite attendance of any person whose particular knowledge or experience may assist the Sub-Committee in its considerations. Such attendance shall be in a consultative capacity and only for the period during which the relevant subject is under consideration.

3. Terms of Reference

- 3.1 The Sub-Committee shall keep under review all matters relating to the health, safety and welfare of the Councils' employees, and to

the protection of other persons against risks arising out of the work activities of the employees and of persons working under contract.

- 3.2 To review and monitor Health and Safety Policy and recommend amendments to the Officers and/or Cabinet in accordance with their respective delegations. Specifically, the Sub-Committee will work directly with the Health and Safety Manager to review and implement revisions to the operational procedures Policy under their delegated authority to make such changes.
- 3.3 Without prejudice to the foregoing terms, items for particular consideration may include:-
 - (a) The study of accidents and diseases, and in particular those notifiable to the Health and Safety Executive.
 - (b) Considering and making recommendations in respect of items submitted by the staff Health and Safety Group.
 - (c) Consideration of reports and information from the Inspectors of the Health and Safety Executive.
 - (d) Consideration of reports submitted by Safety Representatives.
 - (e) The development of safety procedures and safe systems of work.
 - (f) Recommending and monitoring the effectiveness of employee safety training.
 - (g) The presentation of publicity on safety matters; and
 - (h) Inspecting or arranging for an inspection of any particular area or activity.

4. Arrangements and Procedures

- 4.1 Meetings shall normally be held three times a year but, exceptionally, the Chair may decide, after consultation with the Health and Safety Manager, to convene an Extraordinary meeting at any time or to cancel a scheduled meeting due to lack of business to transact.
- 4.2 The quorum for the Sub-Committee shall be four, comprising at least two employee representatives and two Members of the Council.
- 4.3 Voting shall be by a show of hands and simple majority.
- 4.4 The report from the Sub-Committee to the Performance and Audit Scrutiny Committee and/or the Cabinet shall be by way of presentation of the minutes or by way of a brief report in an agreed format.

*(*Note: This meeting is not governed by the normal Access to Information rules (The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) in the Council. Therefore these meetings are not open to attendance by the public).*

Financial Resilience Sub-Committee

1. Remit

- 1.1 The Financial Resilience Sub-Committee will undertake the enhanced monitoring and scrutiny of the Council's financial resilience, and will be responsible to the Performance and Audit Committee for:-
- (1) The Council's responses to changes in statutory and regulatory requirements and guidance related to treasury management, capital financing and financial resilience.
 - (2) Examining and recommending Annual Treasury Management and Investment Strategy.
 - (3) On-going revisions to treasury management strategies and policies.
 - (4) The mid-year treasury management review.
 - (5) Receiving reports on treasury management performance.
 - (6) The annual report on treasury management performance, including the effects of the decisions taken and the transactions executed in the past year, and on the circumstances of any non-compliance with the Council's treasury management policy statements.
 - (7) Examining ongoing compliance with any statutory and non-statutory guidance or measures relating to financial resilience.

2. Membership and Meeting Arrangements

- 2.1 The Sub-Committee will comprise three Members and one substitute Member of the Performance and Audit Scrutiny Committee, which desirably reflects the political balance of the Council, as far as practically possible.
- 2.2 There will be one non-voting invitee, which will normally be the Portfolio Holder with responsibility for finance.
- 2.3 The Sub-Committee will be appointed annually by the Performance and Audit Scrutiny Committee (or Council) and will appoint its own Chair.
- 2.4 The Sub-Committee will meet at least three times each year, although meetings may be cancelled by the Chair due to lack of business. Special meetings of the Sub-Committee may also be called as necessary.

- 2.5 In order to help streamline the comprehensive treasury management reporting requirements of the CIPFA Code, where possible meetings will be held to coincide with existing reporting requirements.

*(*Note: This meeting is not governed by the normal Access to Information rules (The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) in the Council. Therefore these meetings are not open to attendance by the public).*

Overview and Scrutiny Committee

1. The Council will appoint an Overview and Scrutiny Committee of up to 16 members and it will normally be politically balanced. No member of the Cabinet may be a member of the Overview and Scrutiny Committee.
2. The primary purpose of the Committee is to improve the delivery of services provided to West Suffolk communities. To do this it can exercise the following general roles:
 - (a) Review and scrutinise decisions made or actions taken in connection with the discharge of functions by the Council and other service providers in West Suffolk.
 - (b) Make reports and recommendations to the Council and the Cabinet in connection with the discharge of any functions of the Council.
 - (c) Consider any matter affecting the area or its inhabitants.
 - (d) Question Members of the Cabinet and Officers about their views on issues and proposals affecting the area.
 - (e) Liaise with external organisations operating in the area, whether national, regional or local, to ensure the interests of local people are enhanced by collaborative working.
 - (f) Exercise the right to "call in", for reconsideration, decisions made but not yet implemented by the Cabinet, in accordance with the rules set out in Part 4 of the Constitution; and
 - (g) Consider any Councillor Calls for Action referred to it in accordance with the Protocol.
 - (h) Consider any matter which has been placed on the agenda of the committee by any member of the committee in accordance with the Rules of Procedure in Part 4 of this Constitution.
 - (i) Act as the Crime and Disorder Committee for the purposes of Section 19 of the Police and Justice Act 2006.

Scrutiny Role

3. Within its terms of reference, the Overview and Scrutiny Committee may:-
 - (a) Review and scrutinise the decisions made by, and the performance of, the Cabinet, Committees and Council Officers both in relation to individual decisions and over time.
 - (b) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas, and carry out performance management reviews.
 - (c) Review the adequacy of policies and practices to ensure compliance with statutory and other guidance.
 - (d) Question Members of the Cabinet, Committees 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, initiatives or projects.
 - (e) Make recommendations to the Cabinet and/or the appropriate Committee arising from the scrutiny process.

- (f) Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance and issues of wider concern.
 - (g) Question and gather evidence from any person (with their consent).
 - (h) Assist the Council and the Cabinet in the development of the policy framework by detailed analysis of policy issues and options, including research, and community and other consultation.
 - (i) Consider and implement mechanisms to encourage and enhance community participation in the development of policy options; and
 - (j) Consider how collaborative working with external organisations can enhance the interests of local people.
4. For specific issues, the above work can be carried out by task and finish groups, which will be appointed and managed by the Committee. These groups will draw upon the knowledge and expertise of all Members of the Council.

Holding the Cabinet to Account

5. The Overview and Scrutiny Committee will hold the Cabinet to account for the discharge of its functions. The principal elements by which it will do this are as follows:-
- (a) Scrutinising decisions which the Cabinet 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).
 - (b) Scrutinising decisions of the Cabinet 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.
 - (c) Scrutinising decisions of the Cabinet or Portfolio Holders after they have been implemented as part of a wider review.

Support

6. In order that the Overview and 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 Monitoring Officer.
 - (d) The ability to require Members of the Cabinet and officers to attend to answer questions.
 - (e) Specific training and development for all persons who undertake overview and scrutiny duties; and
 - (f) The Decisions Plan, containing details of all the matters likely to be the subject of key decisions, or to be considered in private by the Cabinet, or its Committees or by Officers, shall be made available to all Members of the Overview and Scrutiny Committee.

Performance and Audit Scrutiny Committee

1. The Council will also appoint a Performance and Audit Scrutiny Committee of up to 12 members, which will normally be politically balanced. Within its terms of reference the Committee will monitor and scrutinise the performance of the Council's services by having regard to a variety of information, including performance indicators, financial information, reports from external inspections, audit reports, and monitoring of action plans. No member of the Council's Cabinet may be a member of the Performance and Audit Scrutiny Committee.
2. The Committee will also assist the Council and the Cabinet in the development of the budget framework and act as the Council's Audit Committee, and the nature of this role is specified in the Scrutiny Committees Procedure Rules in Part 4 of this Constitution.

Finance

3. The Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee may exercise overall responsibility for any finances made available to them.

Annual Report

4. The Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee must report annually to the Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

Officers

5. The Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee may exercise overall responsibility for the work programme of any Officers employed to support their work.

Proceedings of the Committees

6. The Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee will conduct their proceedings in accordance with the Scrutiny Committees Procedure Rules set out in Part 4 of this Constitution.

Work Programme

7. The Rules of Procedure in Part 4 of this Constitution will also provide mechanisms to allow all Members of the Council the opportunity to place an item on the agenda of the Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee.
8. When practicable, the Overview and Scrutiny Committee will publish a forward work programme or list of items likely to be considered over the next four months.

Working Methods

9. The following principles should be adhered to by the Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee when carrying out their work:-
- (a) A variety of different approaches and formats for meetings may be used.
 - (b) 'Task and finish' groups reporting periodically and at the end of reviews to the Overview and Scrutiny Committee should be encouraged as the preferred method of scrutiny reviews.
 - (c) Membership of the Committees and their sub groups (if applicable) should be tailored to ensure appropriate skills and expertise, and external input, are brought to bear.
 - (d) When appropriate, full consultation with all other stakeholder groups and organisations should take place.
 - (e) The declaration of interest rules shall apply.
 - (f) The imposition of the Party Whip is regarded as incompatible with the work of the Council's Scrutiny Committees.
 - (g) The Chair and Vice-Chair of each Scrutiny Committee will meet at least quarterly with the Leader and Deputy Leader of the Council to ensure that the work of these Committees is properly co-ordinated; and
 - (h) Where any Scrutiny Committee is reviewing the work of a Regulatory or other Committee of the Council (as opposed to the Cabinet) it will not scrutinise individual decisions made by such Committees, particularly decisions in respect of development control, licensing, registration, consents and other permissions. In particular, scrutiny will not be an alternative to normal appeals procedures. However, the Overview and Scrutiny Committee has the power to make reports and recommendations on functions which are not the responsibility of the Cabinet, an option normally to be used as part of wider policy reviews.

Support

10. In order that the Performance and Audit Scrutiny Committee can perform its role properly it shall also be given the following support:-
- (a) Effective and properly resourced support from officers.
 - (b) Appropriate financial resources.
 - (c) Access to external auditors who report direct to the Committee and to the Internal Audit Service Manager; and
 - (d) Specific training and development as required.