

Committee Overview and Scrutiny	Date 10 June, 2008	Classification Unrestricted	Report No.	Agenda Item No. 6.1
Report of: Service Head Democratic Services Originating Officer(s): Amanda Thompson		Title Overview and Scrutiny Committee – Terms of Reference Ward(s) affected: N/A		

1. SUMMARY

- 1.1 This report sets out for Members' information the Terms of Reference of the Overview and Scrutiny Committee.

2. RECOMMENDATION

- 2.1 That the report be noted.

**LOCAL GOVERNMENT ACT, 2000 (SECTION 97)
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

Brief description of "background paper"

Name and telephone number of holder
and address where open to inspection

Council's Constitution – ????

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3. BACKGROUND

- 3.1 The Overview and Scrutiny Committee was re-constituted by Council at its Annual meeting held on 21 May, 2008. A report elsewhere on the Committee's agenda details the Committee's membership for 2008/2009. The Terms of Reference of the Committee were also updated by Council on 21 May, 2008, following the review of the Council's Constitution. The Committee's Terms of Reference are as follows:
- (a) The performance of all overview and scrutiny functions on behalf of the Council.
 - (b) The appointment of such Sub-Committees (Scrutiny Panels) as it considers appropriate to fulfil those functions, determining those Scrutiny Panels' composition (including any co-opted Members) and terms of reference.
 - (c) To approve an annual overview and scrutiny work programme including the work programme of any Scrutiny Panels it appoints to ensure that there is efficient and effective use of the Committee's time and the time of the Council's Scrutiny Panels.
 - (d) To advise the Cabinet of key issues/questions to be considered in relation to reports due to be considered by Cabinet.
 - (e) To exercise the right to call in for reconsideration of any executive decisions taken but not yet implemented.
 - (f) To determine whether to request full Council to review or scrutinise any decision called in, where considered contrary to the budget and policy framework and whether to recommend that the decision be reconsidered.
 - (g) To receive and consider requests from the Executive for scrutiny involvement in the annual budget process.
 - (h) To monitor the Executive's forward plan to ensure that appropriate matters are subject to scrutiny.
 - (i) To discharge the functions conferred by the Police and Justice Act 2006 as the Council's Crime and Disorder Committee.
 - (j) To consider any matters relevant to the remit of the Committee required by a Committee Member to be considered under s.21 (8) Local Government Act 2000.

4. QUORUM

- 4.1 The quorum for the Overview and Scrutiny Committee has been determined as not less than one third of the voting membership of the Committee.

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 5.1 There are no financial implications arising from this report.

6. CONCURRENT REPORT OF THE CHIEF LEGAL OFFICER

- 6.1 The terms of reference of the Committee as set out in the Overview and Scrutiny Procedure Rules meet the statutory requirements of Section 21 of the Local Government Act 2000.

7. ANTI-POVERTY AND EQUAL OPPORTUNITY IMPLICATIONS

- 7.1 There are no anti-poverty or equal opportunity implications arising from this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no immediate environmental issues arising from this report.

9. RISK MANAGEMENT

- 9.1 The terms of reference set out above will enable the Overview and Scrutiny Committee properly to discharge the functions conferred on the Council by Section 21 of the Local Government Act 2000, or regulations made under section 32 of that Act, and the Health and Social Care Act, 2001.