

ARTICLE 6 –OVERVIEW AND SCRUTINY COMMITTEES

6.01 OVERVIEW AND SCRUTINY COMMITTEES

The Council will appoint four Overview and Scrutiny Committees (4+ 9 Members each) to exercise the overview and scrutiny functions conferred on the Council by Section 21 of the Local Government Act 2000.

6.02 DUTIES OF OVERVIEW AND SCRUTINY COMMITTEES

The Overview and Scrutiny Committees will:

- (i) approve an annual overview and scrutiny Work Plan for functions within the Committee's remit;
- (ii) receive requests from the Executive and/or the Council for Scrutiny examinations and to allocate them priority in the Committee's Work Plan;
- (iii) receive requests from members of the public and other councillors and consider whether they should be included in the Committee's work plan;
- (iv) scrutinise decisions of the Executive on matters falling within a Committee's subject area and report to the Executive and Council on the outcome of the scrutiny;
- (v) conduct scrutiny examinations into Executive decisions following call-in for reconsideration of decisions of the Executive made but not yet implemented, in accordance with the call-in procedure set out in Part 4E (14) of this Constitution;
- (vi) conduct scrutiny investigations into outside bodies in the Borough as appropriate or requested by the Executive and/or the Council.
- (vii) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues within the Committee's remit, and in particular by responding to consultations by the Executive on policy and budget issues in accordance with Part 4C of this Constitution (Policy & Budget Procedure Rules);
- (viii) conduct research and community and other consultation in the analysis of policy issues and possible options;

- (ix) consider and advise policies to encourage and enhance community participation in the development of policy options;

- (xi) contribute to the development, implementation and monitoring of the Community Strategy for West Cumbria, in particular (but not exclusively) through the appointment of one member of each of the Economic Well Being, Environmental Well Being and Social Well Being Overview and Scrutiny Committees to serve on the equivalent Wellbeing Group within the West Cumbria Partnership;
- (xii) at the Committee's discretion, summons and question members of the Executive and/or committees and/or chief officers about their views on issues and proposals arising from decisions made or otherwise affecting the area;
- (xiii) respond to consultations on key policy issues and/or options for service delivery arising from Best Value Service Reviews and report to the Executive thereon;
- ~~(xiiii) consider internal and external audit reports and monitor the work of the internal audit section, and to refer to the appropriate Overview and Scrutiny Committee matters arising from audit reports which require scrutiny examination.**~~

~~** To be function of Performance and Resources OSC only.~~

6.03 TERMS OF REFERENCE OF OVERVIEW AND SCRUTINY COMMITTEES

The Overview and Scrutiny Committees will take monitor the work and provide input to the following areas:

Performance and Resources

- Working with the Local Strategic Partnership to develop our Community Plan
- Performance Management
- Monitoring services for customer-friendly practice
- Our Comprehensive Performance Assessment (CPA)
- Financial/human resources issues within the Council, including monitoring of the budgetary process.
- IT & Communication issues including IEG
- Electoral issues
- Public relations issues
- ~~• To consider internal and external audit reports and monitor the work programme of the internal audit section.~~

Economic Well Being

- Nuclear Issues
- Transport links

- Economic development and regeneration programmes, initiatives and issues
- Tourism
- Training initiatives

Environmental Well Being

- Air/water quality
- Recycling and Waste Management issues
- Energy Consumption
- Derelict/Contaminated land issues
- Pow Beck Study
- Drainage & Flooding
- Local Agenda 21
- Enforcement activities

Social Well Being

- Transfer of Council's Housing Stock
- Decent Homes Standard
- Housing Renewal
- Choice of Quality Housing
- Care & Repair
- Leisure & Cultural Strategy
- Health Inequalities and lifestyle issues
- Health Care facilities
- Food Standards/Health and Safety
- Crime & Disorder
- Emergency Planning

ARTICLE 8 – REGULATORY AND OTHER COMMITTEES

The Council will appoint the following regulatory committees to carry out non-executive functions under the Local Government Act 2000, with terms of reference as set out in the Scheme of Delegations in Part 3 of the Constitution:

Planning Panel	11 members
Appeals Panel	7 members
Personnel Panel	7 members
Licensing Committee	12 members
Taxi and General Licensing Panel	7 members
<i>Member Training and Development Panel</i>	<i>7 Members</i>
<i>Audit Committee</i>	<i>7 Members</i>
<i>Local Plan Working Party</i>	<i>7 Members</i>
<i>Transport Working Group</i>	<i>7 Members</i>
<i>Budget Working Party</i>	<i>8 Members</i>
<i>Nuclear Working Group</i>	<i>7 Members</i>
<i>Joint Consultative and Safety Panel</i>	<i>7 Members</i>
<i>Parish review Working Party</i>	<i>7 members</i>

ARTICLE 9 – THE STANDARDS COMMITTEE

9.01 Standards Committee

The Council will establish a Standards Committee.

9.02 Composition

POLITICAL BALANCE

Standards Committees do not have to comply with the political balance rules in section 15 of the Local Government Act 1989 (duty to allocate seats to political groups).

Membership. The Standards Committee will be composed of:

- five councillors other than the leader;
- two persons who are not councillors or officers of the council or any other body having a standards committee (independent members);
- one member of a parish council wholly or mainly in the Council's area (a parish member) to be nominated by the Cumbria Association of Local Councils.

Independent members. Independent members are entitled to vote at meetings;

Parish members. Parish members must be present when matters relating to those parish councils or their members are being considered. Parish members are entitled to vote at meetings.

Chairing the Committee. ~~A member of the Executive may not chair the Committee.~~ *The Committee will be chaired by an independent Member.*

9.03 Terms of Reference

The Standards Committee will have the following terms of reference:

- (a) promoting and maintaining high standards of conduct by the mayor, councillors, co-opted members;

- (b) assisting councillors to observe the Council's Code of Conduct;
- (c) advising the Council on the adoption or revision of the Council's Code of Conduct;
- (d) monitoring the operation of the Council's Code of Conduct;
- (e) advising, training or arranging to train councillors on matters relating to the Council's Code of Conduct;
- (f) granting dispensations to councillors from requirements relating to personal and prejudicial interests set out in the Members' Code of Conduct, in accordance with regulations made by the Secretary of State;
- (g) dealing with any reports from a case tribunal or interim case tribunal, and any report from the monitoring officer on any matter and determining issues arising from such reports, in accordance with regulations made by the Secretary of State;
- (h) the exercise of (a) to (g) above in relation to parish councils wholly or partly in the Borough and the members of those parish Councils.
- (i) Overseeing the Council's constitution
- (j) Overseeing the Council's Complaints Procedure and issues relating to investigations by the Local Government Ombudsman