

# Part 2

## Articles of the Constitution



## Article 5: Overview & Scrutiny Panel

### 5.0 Principles of Scrutiny

South Hams District Council aims to have a scrutiny function which adheres to the Centre for Public Scrutiny's four principles of good public scrutiny, as set out below:

- Provides critical challenge to Executive policy makers and decision makers;
- Enables the voice and concerns of the public to be heard;
- Is carried out by 'independent minded governors' who lead and own the scrutiny role; and
- Drives improvement in public services.

### 5.1 Terms of reference

The Council will appoint an Overview & Scrutiny Panel. The functions of the Panel are outlined in Part 3 (Delegations Scheme).

### 5.2 Officers

The Overview & Scrutiny Panel will have administrative support and be able to call on other relevant officer support and external expertise where necessary.

### 5.3 Annual Report

The Overview & Scrutiny Panel must report annually to full Council on its workings and make recommendations for future work programmes and amended working methods if appropriate.

#### 5.4 **Public Forum**

##### (a) General

Members of the public may raise issues and ask questions at meetings of the Overview & Scrutiny Panel in relation to agenda items (and in accordance with the O&S rules in Part 4). This session will last for up to fifteen minutes at the beginning of each meeting.

##### (b) Notice of Questions

An issue or question may only be raised by a member of the public provided that they have given written notice (which may be by electronic mail) to the Democratic Services Lead Specialist by 5.00 pm on the Monday prior to the relevant meeting.

##### (c) Scope of Questions

An issue may be rejected by the Monitoring Officer if:

- it relates to a matter within the functions of the Development Management Committee;
- it is not about a matter for which the local authority has a responsibility or which affects the district;
- it is offensive, frivolous or defamatory;
- it is substantially the same as a question which has previously been put in the past six months; or
- it requires the disclosure of confidential or exempt information.

#### 5.5 **Proceedings of Scrutiny**

The Overview & Scrutiny Panel will conduct its proceedings in accordance with the Scrutiny Procedure Rules set out in Part 4 of this Constitution.