

# Overview and Scrutiny Committee

Please refer to the Overview & Scrutiny Procedure Rules in Part 4 of the Constitution for details on composition, membership, eligibility, powers and duties.

## 1. Terms of Reference – General Role

1.1. The Council will appoint an Overview & Scrutiny Committee that will:

- review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- make reports and/or recommendations to the Council and any committee or joint committee in connection with the discharge of any functions;
- consider any matter affecting the area or its inhabitants;
- make reports and/or recommendations to the Council and/or its Committees and/or any joint committee on matters which affect the Council's area or the inhabitants of that area; ~~and~~
- [eExercise the right to Call-in, for reconsideration, decisions made \(but not yet implemented\) by the Hub Committee;](#)
- [be able to appoint and discontinue Task and Finish Groups in accordance with its annual work programme; and](#)
- [be able to work in conjunction with the South Hams District Council Overview and Scrutiny Panel to avoid any duplication of effort and unnecessary inconsistencies in policy and findings between the two councils.](#)

## 2. Specific functions

The Overview and Scrutiny Committee may:

### 2.1. [Overview Policy development and review](#)

- (i) review existing policy and recommend changes to such policy or [to recommend](#) the creation of new policy;
- (ii) assist the Council in the development of its Budget and Policy Framework [and any policies it chooses to adopt; by in-depth analysis of policy issues;](#)
- (iii) conduct research, involve the community and carry out other consultation in the analysis of policy issues and possible options;

- (iv) consider and implement ways to encourage and enhance community participation in the development of policy options;
- (v) question Members of committees and senior officers about their views on issues and proposals affecting the area; and
- (vi) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

In so doing, the Overview & Scrutiny Committees will be able to:

- (a) Select significant issues to investigate, which are both strategic and linked to the Council's Corporate Priorities;
- (b) Undertake pre-investigation project planning: drawing up terms of reference, plan for research methods to be used, timescales, officer support and reporting mechanisms;
- (c) Involve partners, the public and outside experts: this can take the form of presenting orally or in writing evidence around the topic under investigation;
- (d) Report findings and make evidence based recommendations to the appropriate Committee; and
- (e) Follow up on action agreed to ensure that Overview & Scrutiny Committee decisions have been implemented.

## 2.2. Scrutiny

- (i) hold the Hub Committee Members to account;
- (ii) review and scrutinise the performance of Committees ~~and Council officers~~ and decisions made both in relation to individual decisions and over time;
- (iii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (iv) question lead Members and/or Chairmen of committees and senior officers about ~~the~~ 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 when necessary;
- (v) exercise the right to call-in, for re-consideration, decisions made by the Hub Committee but not yet implemented by any committee, where appropriate (see Procedure Rules in Part 4);
- (vi) make recommendations to the appropriate committee and/or Council arising from the outcome of the scrutiny process;
- (vii) ~~(vi)~~ review and scrutinise, with or without others, the performance and activities of other public bodies in the area on any relevant, general or specific issue; and

(viii)

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~~(vii)~~ question and gather evidence from any person (with their consent) when necessary; ~~and~~

~~(viii) Exercise overall responsibility for the work programme of the officers employed to support their work~~

### 2.3. Partnership arrangements

The Overview & Scrutiny Committees shall be responsible for the monitoring of partnership arrangements in accordance with the Council's Partnership Policy.

### 2.4 Public Forum Procedures

#### (a) General

Members of the public may raise issues and ask questions at meetings of the Overview and Scrutiny Committee. 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 Darryl White ([darryl.white@swdevon.gov.uk](mailto:darryl.white@swdevon.gov.uk)) by 5.00pm on the Thursday, 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 & Licensing Committee;
- it is not about a matter for which the local authority has a responsibility or which affects the Borough;
- 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.

### 2.5 Finance

The Overview & Scrutiny Committee shall exercise overall responsibility for the finances made available to it.

## 2.6 Annual report

The Overview & Scrutiny Committee shall report annually to Council on their workings and make evidence based recommendations for future work programmes and amended working methods if appropriate.

## 3 Proceedings of Overview and Scrutiny Committee

The Overview & Scrutiny Committee will conduct its proceedings in accordance with the [Overview & Scrutiny Procedure Rules](#) set out in Part 4 of this Constitution.