



<b>Title:</b>	<b>Constitution of the Council (Part 31b: Scrutiny (Regeneration, Development and Market Hall) Committee)</b>
<b>Owner:</b>	<b>John Teasdale</b>
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# FUNCTIONS AND PROCEDURES OF THE SCRUTINY (REGENERATION, DEVELOPMENT AND MARKET HALL) COMMITTEE

## 1 FUNCTIONS OF THE COMMITTEE

### ONLY FULL COUNCIL CAN AMEND THE FUNCTIONS OF THE COMMITTEE

- 1.1 The Committee is an overview and scrutiny committee as defined in the Local Government Act 2000.
- 1.2 The following powers and functions will be the responsibility of the Committee.

### STATEMENT OF PURPOSE

- 1.3 The Committee shall discharge the overview and scrutiny function under Section 9F of the Local Government Act 2000.
- 1.4 In relation to the subject of Regeneration and Development including the Market Hall, the Committee will:
  - 1.4.1 Monitor performance;
  - 1.4.2 Discuss and advise on service policy;
  - 1.4.3 Scrutinise and review issues, service delivery and activity.
- 1.5 In relation to the subject matter named in Paragraph 1.4, the Committee will:
  - 1.5.1 Produce a 12 month rolling scrutiny programme to coincide with the financial year (April – March);
  - 1.5.2 Co-ordinate and manage its scrutiny programme;

- 1.5.3 Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the council's functions;
  - 1.5.4 Review and scrutinise the performance of the council;
  - 1.5.5 Serve as consultees in relation to executive decisions and key elements of service plans when required; and
  - 1.5.6 Produce progress reports and recommendations to the Executive arising from the outcome of the scrutiny process or refer to the Executive entire reports produced as a result of the scrutiny process. It is the decision of the Executive whether or not such a report is subsequently submitted to Full Council.
- 1.6 The Committee will have scope aligned with the relevant Cabinet Portfolio(s) as detailed in Part 3Ca.

## 2 POWERS OF THE COMMITTEE

- 2.1 The Committee shall be empowered to:
- 2.1.1 Question members of the Cabinet, and/or officers of the Borough Council about any matters pertaining to policy, service delivery, performance or the carrying out of the business of the Council;
  - 2.1.2 Ask for any Council documents which are relevant to any matter under consideration;
  - 2.1.3 Commission research or consultation exercises to assist with considering issues;
  - 2.1.4 Seek information from, or ask questions of, any other person or body if that person or body so consents;
  - 2.1.5 Report to the Cabinet on any issue arising from the Scrutiny function, with recommendations if appropriate;
  - 2.1.6 Issue reports to relevant outside bodies on the outcome of Scrutiny reviews, with recommendations if appropriate.

## 3 PROCEDURES OF THE COMMITTEE

### THE COMMITTEE CAN AMEND THE PROCEDURES WHICH IT FOLLOWS

#### MEMBERSHIP

- 3.1 Membership will be a total of 8 Councillors to reflect the political make-up of the Council. No member of the Cabinet shall be on the Committee.

#### MEETINGS

- 3.2 All meetings of the Committee shall be held at the Town Hall Burton upon Trent at 6.30pm unless unless different arrangements have been agreed by the Committee.
- 3.3 The Committee will meet so often as may be required to perform the functions of the Committee.
- 3.4 Subject to fulfilling the role outlined above, the agenda for each meeting shall be agreed by the Chairman. Councillor requests for items to be placed on the agenda must be received by the Chairman at least seven working days prior to the meeting.
- 3.5 Questions may be submitted by any member of the Committee for answer by the Leader, any Cabinet Member or Officer of the Borough Council, who will be required to attend the meeting and verbally answer the question.
- 3.6 Questions must be received three clear working days prior to the meeting and must be relevant to the responsibilities of the Councillor or Officer who is being asked.
- 3.7 Further questions of the Councillor or Officer may be asked by the Committee following an initial question

#### CHAIRMAN AND VICE-CHAIRMAN

- 3.8 The Council shall appoint the Chairman and the Committee shall appoint the Vice-Chairman.

## RIGHT TO ATTEND

3.9 Meetings of the Committee shall be open to the press and public except for confidential business.

3.93.10 Members of the public are able to participate during meetings of the Committee. The protocol at Part 31e of this Constitution details the procedure for public participation.

3.103.11 All Councillors formally appointed to the Committee by the Council have the right to attend and to vote at meetings of the Committee.

3.113.12 Other Councillors who are not formal members of the Committee may attend meetings of the Committee, except where Exempt Information is likely to be disclosed. If Exempt Information is likely to be disclosed, they can only attend such meetings if they can demonstrate that their attendance is necessary to perform their duties as a Councillor. If they do attend, they may ask the Chairman for consent to speak (giving reasons). The Chairman may seek the views of the Committee before making a decision. If the Chairman gives such consent, the Councillor may take part in the debate when invited to do so by the Chairman (but may not vote).

3.123.13 The Committee shall determine which other persons should, from time to time, participate in the Committee's work.

## QUORUM

3.133.14 A quorum shall be one-third of the total number of Committee members.

## MINUTES

3.143.15 The minutes of the meeting shall record any formal comments, views or recommendations made by the Committee and shall also record the answers to any formal questions.

## REPORTING ARRANGEMENTS

~~3.15~~3.16 Where necessary the Committee will make reports and recommendations to the Executive arising from the outcome of the scrutiny process or refer to the Executive entire reports produced as a result of the scrutiny process.

## APPLICATION OF COUNCIL MEETING PROCEDURE RULES

~~3.16~~3.17 Save where inconsistent with these Rules, proceedings at the Committee will be governed as set out in Rule 23 of the Council Meeting Procedure Rules – see Part 3A.