

APPENDIX 2

Article 6 –The Overview and Scrutiny Committee

6.1 Composition

The Overview and Scrutiny Committee will comprise of fifteen Councillors, none of whom may be members of the Executive.

6.2 Terms of Reference

The Council will appoint the Overview and Scrutiny Committee to discharge the functions that are conferred by section 21 of the Local Government Act 2000, the relevant provisions of the Local Government and Public Involvement in Health Act 2007, the Police and Justice Act 2006 and associated rules and regulations.

6.3 General role

Within its terms of reference the Overview and Scrutiny Committee will:

- 6.3.1 review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- 6.3.2 make reports and/or recommendations to Council and/or the Cabinet as the case may be in connection with the discharge of any functions;
- 6.3.3 consider any matter affecting the area or its inhabitants;
- 6.3.4 exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet or a Committee of the Cabinet or by individual Members of the Cabinet or (in the case of key decisions) by Officers;
- 6.3.5 appoint Northampton Borough Council's representatives on any joint authority, countywide or regional scrutiny body with relevant functions and consider regular progress reports on its work;
- 6.3.6 approve Overview and Scrutiny Committee Protocols and guidance notes;
- 6.3.7 appoint three Overview and Scrutiny Panels and in relation to the Panels will:
 - 6.3.7.1 determine and agree the Panels' memberships, terms of reference and work programmes;
 - 6.3.7.2 agree the allocation of resources to each Panel according to need;

- 6.3.7.3 allocate a particular area of work to one of the Panels where it is not clear which Panel has responsibility for that area;
- 6.3.7.4 appoint people from outside the Council to the Panels by way of co-option as appropriate; and
- 6.3.7.5 review training needs of Panel members (including co-optees) and make recommendations to Cabinet or the Council as appropriate;
- 6.3.8 act as the relevant 'Crime and Disorder Committee' for the purposes of section 19(1) of the Police and Justice Act 2006 and any other relevant rules and regulations and accordingly:
 - 6.3.8.1 scrutinise the actions undertaken by the Safer Stronger Northampton Partnership ('SSNP') and the partners who comprise it, insofar as their activities relate to the SSNP itself;
 - 6.3.8.2 make reports and recommendations to the Council or Cabinet with respect to any matter which is a local crime and disorder matter; and
 - 6.3.8.3 deal with any relevant Councillor Call for Action made in relation to local crime and disorder matters in accordance with the Councillor Call for Action Protocol;
- 6.3.9 deal with any relevant Councillor Call for Action made in relation to any local government matter pursuant to the Local Government and Public Involvement in Health Act 2007 (and associated rules and regulations) in accordance with the Councillor Call for Action Protocol; and
- 6.3.10 in relation to petitions submitted to the Council pursuant to the Local Democracy, Economic Development and Construction Act 2009 and in accordance with the Northampton Borough Council Scheme to Respond to Petitions:
 - 6.3.10.1 consider 'Petitions to Hold an Officer to Account'; and
 - 6.3.10.2 consider petitioner appeals where a petitioner is not satisfied with the initial response to their petition.

6.4 **Specific functions**

Within its terms of reference the Overview and Scrutiny Committee may carry out the following specific functions:

- 6.4.1 **Policy development and review** - The Overview and Scrutiny Committee may:
 - 6.4.1.1 assist the Council and the Cabinet in the development of its

Budget and Policy Framework by in-depth analysis of policy issues;

6.4.1.2 conduct research, community and other consultation in the analysis of policy issues and possible options;

6.4.1.3 consider and implement mechanisms to encourage and enhance community participation in the development of policy options;

6.4.1.4 question members of the Cabinet, Committee and Directors about their views on issues and proposals affecting their functions; and

6.4.1.5 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

6.4.2 **Scrutiny** - The Overview and Scrutiny Committee may:

6.4.2.1 review and scrutinise the decisions made by and performance of the Cabinet, committees and Council officers save that where the Overview and Scrutiny Committee is reviewing the decisions of another committee of the Council it will not scrutinise individual decisions particularly in respect of development control, licensing, registration, consents and other particular matters other than within the general context of any wider policy review, and shall not act as an appeal forum in respect of such individual decisions;

6.4.2.2 review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;

6.4.2.3 question members of the Cabinet and/or committees and Directors about their 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;

6.4.2.4 make recommendations to the Cabinet and/or appropriate committees and/or Council arising from the outcome of the overview and scrutiny process;

6.4.2.5 review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance; and

6.4.2.6 question and gather evidence from any person (with their consent).

- 6.4.3 **Finance** - The Overview and Scrutiny Committee may exercise overall responsibility for the finances made available to them.
- 6.4.4 **Annual report** The Overview and Scrutiny Committee may report annually to Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.
- 6.4.5 **Officers** The Overview and Scrutiny Committee may exercise overall responsibility for the work programme of the officers employed to support their work.

6.5 Proceedings of the Overview and Scrutiny Committee

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

6.6 Overview and Scrutiny Panels

For the avoidance of doubt, the Overview and Scrutiny Panels will not conduct the functions of the Overview and Scrutiny Committee, but will report to the Overview and Scrutiny Committee.