

Appendix A – Tracked Changes

Extract of Part 1 Summary and Explanation

Overview and Scrutiny

There ~~is an Overview and Scrutiny Management Committee and two~~ Overview and Scrutiny Committees which support the work of the Cabinet, and the Council as a whole. One Overview and Scrutiny Committee deals with Policy and one Overview and Scrutiny deals with Performance. They are accountable to Full Council. They allow citizens to have a greater say in Council matters by discussing matters of local interest. This can lead to reports and recommendations which advise the Cabinet, other Committees and the Council as a whole on its policies, budget and service delivery. The Overview and Scrutiny ~~Management Committee and Overview and Scrutiny~~ Committees also monitor the decisions of the Cabinet and other Council Committees. Members and the Committees can “call-in” a decision of a non-regulatory committee which has been made but not yet implemented. This enables them to consider whether the decision is appropriate. The Committees may recommend that the Cabinet or Full Council should reconsider the decision, and may also be consulted by the Cabinet and other Committees on forthcoming decisions and the development of policy. Another of their functions is to support the Cabinet in ensuring that the Council complies with its duties of best value and value for money. They have a key role to play in promoting and monitoring good performance management throughout the Council.

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Extract of Article 7 – Overview and Scrutiny Committees and Audit and Accounts Committee

7.01 Appointment, Membership and Terms of Reference

The Council will appoint:

~~One Overview and Scrutiny Management Committee (14 Members) plus the co-opted Members of the Policy Overview and Scrutiny Committee and the Performance Overview and Scrutiny Committee~~

One Policy Overview and Scrutiny Committee (7 Members) plus one co-opted Member

One Performance Overview and Scrutiny Committee (7 Members) plus one co-opted Member

One Audit and Accounts Committee (7 Members) plus one co-opted Member

The Overview and Scrutiny Committees and the Audit and Accounts Committee will be politically balanced. Members of the Cabinet are excluded from membership of the Overview and Scrutiny Committees and Audit and Accounts Committee. The Overview and Scrutiny Committees and Audit and Accounts

Committee may also appoint people who are not Members of the Authority in a non voting capacity.

The Chairs of Performance and Policy Overview and Scrutiny Committee shall act as Chair and Vice-Chair of the Overview and Scrutiny Management Committee.

The Overview and Scrutiny Committees will be responsible for discharging functions conferred by Section 21 of the Local Government Act 2000 and any Regulations under Section 32 of the Local Government Act 2000.

Members of the Audit and Accounts Committee may act as substitutes on Overview and Scrutiny.

Members of Overview and Scrutiny may act as substitutes on the Audit and Accounts Committee.

7.02

General Role

Within their terms of reference the Overview and Scrutiny Committees will:

- i) Review and or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- ii) Make reports and/or recommendations to the Council and/or its Cabinet and other Committees and/or any Joint Committee in connection with the discharge of any functions and/or any other partner organisation;
- iii) Consider any matter affecting the area;
- iv) Consider/determine called in decisions of the Cabinet in accordance with the "Call-in" Procedure set out in the Procedure Rules within this Constitution; (with Members of the Overview and Scrutiny Management Committee being treated as a pool, with a politically balanced panel of 5 Members, to consider each Call-in, usually chaired by the Chair of the Overview and Scrutiny Management Committee (Members requesting the Call-in would be unable to sit on the particular Panel)).

Deleted: The Audit Committee is independent of the Council's Overview and Scrutiny arrangements and reports directly to the Council; there shall be no overlap of membership between the Overview and Scrutiny Committees and the Audit Committee.¶

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7.03

Finance

The Budget for these Committees will be held by the Executive Director of Business.

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Deleted: Regulatory Services

7.04 Annual Report

The Overview and Scrutiny Management Committee will report annually to the Council on their workings.

Extract of Part 3

TERMS OF REFERENCE OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

- To set up Task and Finish Groups; with a maximum of two such Groups operating at any one time; and to agree terms of reference and project plans before work starts.
- To oversee the work and receive updates of the Overview and Scrutiny Committees and Task and Finish Groups
- To have a general role in the management, co-ordination, timetabling and monitoring of Overview and Scrutiny Committee work programmes and activities, including liaison with each Committee
- To receive update reports from the Overview and Scrutiny Committees
- To consider final reports from the Task and Finish Groups
- To receive presentations from external organisations and partners
- To assist the Council and the Cabinet in the Budget and Policy Frameworks
- To consider budget options as part of the budget consultation process
- To make recommendations to the Cabinet, Council and other organisations where appropriate
- To produce an Annual Report
- To liaise with external organisations whose operations affect the area to ensure that the interests of local people are enhanced by collaborative working
- To consider the Corporate Plan and make recommendations on the plan to the Cabinet
- To scrutinise the Crime and Disorder Reduction Partnership

TERMS OF REFERENCE OF THE OVERVIEW AND SCRUTINY MANAGEMENT SUB-COMMITTEE

- To consider any scrutiny forms that are received and determine the appropriate course of action
- To deal with any relevant Councillor Call for Action requests and determine the appropriate course of action
- To consider work programme requests and make recommendations on the work programme to the Overview and Scrutiny Management Committee
- To receive consultation documents as appropriate and agree a small response group to reply to specific documents, as necessary

TERMS OF REFERENCE OF THE POLICY OVERVIEW AND SCRUTINY COMMITTEE

- To develop and review such policy matters referred to it by the Cabinet or Committees
- To consider and implement mechanisms to encourage and enhance community participation in the development of policy options
- To question members of the Cabinet and/or Committees and or Officers about their views on issues and proposals affecting the area
- To monitor existing Council policies to ensure recommendations are being implemented
- To monitor the Forward Plan and agree those policies to be scrutinised prior to decision by Cabinet/Full Council
- To conduct research, undertake community and other consultation in the analysis of policy issues and possible options
- To make recommendations to the Cabinet, Council and other organisations where appropriate
- To question and gather evidence from any person (with his or her consent)

TERMS OF REFERENCE OF THE PERFORMANCE OVERVIEW AND SCRUTINY COMMITTEE

- To monitor complaints handling
- To monitor Ombudsman Complaints
- To monitor and scrutinise National Indicators and other performance targets, Service Improvement Plans and policy objectives
- To consider and monitor the performance of the Cabinet and other Council Committees and Officers, as appropriate
- Scrutinise decisions referred to it under the 'Call-in Procedure'
- To scrutinise decisions made by the Cabinet and other Council Committees and Officers
- To question members of the Cabinet and Chairs of Committees, Chief Officers and Head of Service about their decisions and performance
- To make recommendations to the Cabinet, Council and other organisations where appropriate
- Review and scrutinise the performance of other public bodies whose operations affect the area and invite reports from them or request them to address the Performance Scrutiny Committee and local people about their activities and performance
- Question and gather evidence from any person (with his or her consent)
- To monitor the revised funding and legal agreement agreed with Rossendale Leisure Trust and receive monthly financial/performance monitoring reports on a facility by facility basis.
- To oversee, monitor and respond to progress reports from:
 - The Pool Review Panel
 - The Bacup Leisure Hall Review Panel
 - The Strategic Leisure Review including options around the leisure delivery mechanism

Deleted: Best Value Performance