

Open

Special Overview & Scrutiny Committee

Agenda

6pm
Thursday, 10th July 2014
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Overview & Scrutiny Committee

Members of Committee:

Chairman: Councillor E Davies	
Vice-Chairman: Councillor J Phillips	
Councillor J Greener	Councillor P V Hayward
Councillor V Higgs	Councillor Mrs L Hyde
Councillor T L Onslow	Councillor M Price
Councillor M Rayner	Councillor C Rogers
Councillor A M Sewell	Councillor M J W Wrench

Would Members please note that, to ensure continuity in scrutiny, substitutes should only be appointed for the Scrutiny Committee in exceptional circumstances.

Information for Members of the Public:

Part I of the Agenda includes items for discussion in public. You have the right to inspect copies of Minutes and reports on this Agenda as well as the background documents used in the preparation of these reports.

Part II of the Agenda (if applicable) deals with items of "Exempt Information" for which it is anticipated that the public may be excluded from the meeting and neither reports nor background papers are open to public inspection.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of this constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

Co-opted Members

Scrutiny Committees may wish to appoint Co-Opted Members to sit on their meetings in order to add value to the scrutiny process. To appoint a Co-Opted Member, a Committee must first agree to appoint either a specific person or to approach a relevant organisation to request that they put forward a suitable representative (e.g. the local Police Authority). Co-Optees are non voting by default but Committees can decide to appoint voting rights to a Co-Optee. The Co-Option of the Member will last no longer than the remainder of the municipal year.

Scrutiny Committees can at any meeting agree to terminate the Co-Option of a Co-Opted Member with immediate effect. Where an organisation is appointed to put forward a Co-Opted Member, they are able to send a substitute in exceptional circumstances, provided that they notify Democratic Services in advance. Co-Opted Members must sign up to the Members Code of Conduct before attending their first meeting, failure to sign will mean that they are unable to participate. This also applies to substitute Co-Opted Members, who will need to allow sufficient time before a meeting in order to sign the Code of Conduct.

The following will apply:

- i) The total number of voting co-opted members on any Scrutiny Committee will not exceed 25% at any one time.

- ii) The total number of voting Co-opted Members on any Review Panel will not be limited.
- iii) Those Co-opted Members with voting rights will exercise their rights in accordance with the principles of decision making set out in the constitution.

For Further information:

If you have any queries about this Agenda or require any details of background papers, further documents or information, you should contact Louisa Bright, Committee and Member Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732763 or email louisa.bright@wyreforestdc.gov.uk

Wyre Forest District Council

Special Overview & Scrutiny Committee

Thursday, 10th July 2014

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1 - Open to the press and public

Agenda item	Subject	Page Number
1.	Apologies for Absence	
2.	Appointment of Substitute Members To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Solicitor of the Council, together with the name of the Councillor for whom he/she is acting.	
3.	Declarations of Interests by Members In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered. Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.	
4.	Exclusion of the Press and Public To consider passing the following resolution: "That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of "exempt information" as defined in paragraph 3 of Part 1 of Schedule 12A to the Act".	

Part 2 - Not open to the Press and Public

5.	Maximising the Value of Council Property Assets To receive a report from the Director of Economic Prosperity & Place on a proposal for developing the Council's portfolio of assets to maximise disposal and investment opportunities.	-
6.	To consider any other business, details of which have been communicated to the Solicitor of the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting.	

Terms of Reference - The Overview and Scrutiny Committee

1. Reviews the policies of the Council and the Cabinet and recommends to the Council or the Cabinet:
 - (i) Whether any new policies are required.
 - (ii) Whether any existing policies are no longer required.
 - (iii) Whether any changes are required to any existing policies.
 - (iv) Whether any action is required to make the policies more effective.
2. Reviews the discharge of Cabinet functions, and recommends to the Council or the Cabinet:
 - (i) Whether any action should be taken to improve the economy, efficiency and effectiveness of those functions.
 - (ii) Whether any action should be taken to improve the co-ordination of the various functions within the Authority, or with any other person or body.
 - (iii) Whether the function should continue to be discharged or be discharged in another way.
3. Reviews any decisions or proposed decisions of the Council and of the Cabinet. In undertaking such reviews, the Overview and Scrutiny Committee shall in particular consider:
 - (i) Whether the relevant criteria were used.
 - (ii) Whether the decision is in accordance with the budget and policy framework of the Council.
 - (iii) Whether the decision or action was within the powers of the Authority.
 - (iv) Whether the decision was lawful.
 - (v) Whether the decision contributes to the efficient, effective and economic discharge of the function.
4. Recommendations should all take account of the following:
 - (i) Whether the decision should be reconsidered, and if so, what alternative decision should be taken.
 - (ii) Whether the proposed decision should be taken or taken in a different form.
 - (iii) Whether any further action should be taken in the experience of that decision to ensure proper or better implementation of decisions.
 - (iv) Whether any further actions should be taken in the experience of that decision to improve the manner or quality of decision-making for the future.

5. Considers any matters which affect the Council or its administrative area or the inhabitants of that area and makes recommendations to the Council or the Cabinet arising from that consideration.
6. External Partners

Reviews the performance and effectiveness of the Council's external partner organisations, including the duty to scrutinise the local Crime and Disorder Reduction Partnership.
7. Review Panels

Establishes time limited Review Panels which focus upon specific issues of concern raised by Members through a Scrutiny Proposal Form, consider evidence, and subsequently make recommendations to the Overview and Scrutiny Committee. A protocol for the establishment of Review Panels is attached as Appendix C at section 10 of the Constitution.
8. Review the Forward Plan

Regularly reviews the Forward Plan with a view to deciding which, if any, forthcoming items require consideration.
9. Sets and agrees an Annual Work Programme and prioritises the work of the Committee.
10. Ensures consideration is given to encouraging public participation and engagement in functions of the Committee.
11. Ensures that the views of any invitees and co-opted Members (where appropriate) are taken into account when conducting investigations.
12. Monitors the implementation of scrutiny recommendations.
13. Reviews and scrutinises relevant public bodies and partners in the District, including the Council's contribution and relationship with them. Where necessary, requesting them to address overview and scrutiny about their activities, performance, particular decisions, initiatives or projects.