

For general release

REPORT TO:	SCRUTINY AND OVERVIEW COMMITTEE (SOC) 28 JUNE 2016
AGENDA ITEM:	6
SUBJECT:	COMMITTEE MEMBERSHIP AND TERMS OF REFERENCE
LEAD OFFICER:	Richard Simpson Assistant chief executive (Corporate resources & s151 officer)
CABINET MEMBER:	Not applicable

ORIGIN OF ITEM:	The Council's constitution requires the Scrutiny and Overview Committee to agree the scrutiny work programme for the municipal year.
PURPOSE OF ITEM:	To note the nominations of appointments to the Scrutiny and Overview Committee made at full Council on 23 May 2016. To agree not to appoint a co-optee for the purpose of Crime and Disorder Scrutiny.

1. EXECUTIVE SUMMARY

This report confirms the nominations of appointments to the Scrutiny and Overview Committee made at a the meeting of the Committee on 23 May 2016 at the rise of the Annual Council meeting for the 2016/17 municipal year. This report also recommends that committee does not co-opt a crime and disorder co-optee at this time.

2. COMMITTEE MEMBERSHIP, CHAIRING AND TERMS OF REFERENCE

2.1 Membership and Chairing

Majority group members:

Sean Fitzsimons (Chair)
Carole Bonner (Deputy Chair)
Kathy Bee
Joy Prince

Reserves:

Sherwan Chowdhury

Minority group members:

Jan Buttinger (Vice Chairman)
James Thompson

Reserves:

Mario Creatura
Sue Winborn

Bernadette Khan
Shafi Khan
Callton Young

The Committee can co-opt a person for the purpose of Crime and Disorder Scrutiny.

2.2 Crime and Disorder Co-optee

When the Crime and Disorder (Overview and Scrutiny) (Amendment) Regulations 2010 came into force they gave Overview and Scrutiny Panels discretionary powers to co-opt additional members. Previously the regulations had required co-optees to be drawn from the Police or Council but the Committee now has more discretion and can recruit from any group.

At the Scrutiny and Strategic Overview Committee meeting on 1 July 2014 (Minute number A34/14), Members resolved not to co-opt a person for the purposes of scrutinizing crime and disorder for the following reasons.

- With regard to Crime and Disorder, scrutiny activity should be confined to the work of the Crime and Disorder Reduction Partnership (CDRP) and its partners
- The requirement for the Committee to scrutinise the activities of the CDRP as a whole placed all the responsible authorities in a quasi-executive position and it could be uncomfortable for any one member (such as the Police) to scrutinise the activities of the partnership.
- The Committee tended to review the CDRP and crime and anti-social behaviour issues at just one of its meetings each year so the many other topics reviewed might not be of interest to a Crime and Disorder co-optee
- A light touch approach would be for the Committee to welcome contributions on specific issues from interested parties without the need to co-opt

In 2015-16, the Chairs of Scrutiny Committees invited contributors from across the community to attend meetings, make presentations and to ask questions on many different topics relating to safety. The 2015-16 scrutiny Annual Report provided evidence that this approach had worked well over the past 12 months.

2.3 Terms of Reference

The following Terms of Reference are attached as Appendix A:

Scrutiny and Overview Committee
Health, Social Care and Housing Scrutiny Sub-Committee
Children and Young People Scrutiny Sub-Committee
Streets and Environment Scrutiny Sub-Committee

2.4 Potential overlaps between Committees

In the event of overlap or a lack of clarity of Sub-Committee remits, the Scrutiny and Overview Committee has agreed that the Chair of the Scrutiny and Overview Committee shall, in consultation with the Deputy Chair and Vice

Chairman, determine the Committee to which any agenda item shall be directed.

3. RECOMMENDATIONS TO THE SCRUTINY AND OVERVIEW COMMITTEE

To:

- 3.1 Note the nominations of appointments to the Scrutiny and Overview Committee
- 3.2 Note the Terms of Reference for the Scrutiny and Overview Committee and its Sub-Committees
- 3.3 Agree not to appoint a crime and disorder co-optee to the Scrutiny and Overview Committee for the 2016-17 municipal year
- 3.4 Continue to invite contributors from the community, partnership organisations, stakeholders and other interested parties to provide information, make presentations and ask questions at scrutiny meetings in 2015-16

CONTACT OFFICER: Ilona Kytomaa
Members Services Manager (Scrutiny)

BACKGROUND DOCUMENTS: None

TERMS OF REFERENCE

SCRUTINY AND OVERVIEW COMMITTEE

Established: April 2001. Re-established with amendments July 2010 and 2015.

Regularity of meetings: 7 ordinary meetings per year, varied to reflect the work programme, usually on Tuesdays at 6.30pm.

Membership: 6 Members. The Committee can also co-opt 1 person for the purpose of Crime and Disorder Scrutiny.

Proportionality: 4 majority, 2 minority (with 4 majority, 2 minority reserves)

Quorum: One third (Part 4E(4) the Constitution)

Duties of Committee members:

- 1) To read papers and identify questions and comments
- 2) To attend pre-meetings
- 3) To attend Committee meetings
- 4) To declare interests as required
- 5) To carry out any follow up actions
- 6) To take an active role in Mini Reviews on topics of interest
- 7) To participate in Task and Finish groups when/ if convened
- 8) To contribute to the development of the work programme
- 9) To identify and attend relevant Member Learning and Development events
- 10) To attend visits, investigation meetings, informal briefings and consultation events when held
- 11) To attend an annual scrutiny conference if/ when held

Clerk: Ilona Kytomaa, Members' Services Manager x 62683

TERMS OF REFERENCE (extracted from Part 4E of the Constitution)

- (i) to oversee the performance of all overview and scrutiny functions, including development of any protocols and procedures governing the operation of the Committee and its Sub-Committees;
- (ii) to carry out reviews related to the Council's wider power to promote the economic, environmental and social well-being of the Borough;
- (iii) to carry out the scrutiny of partner bodies and crime and disorder matters in line with the Council's statutory duties and powers, subject to any delegation referred to in Rule 1.01 in the Constitution;

TERMS OF REFERENCE

- (iv) to appoint such Sub-Committees as it considers appropriate, by resolution determining terms of reference and membership including the appointment of a Chairman and Vice-Chairman. This will normally be done at the meeting of the Scrutiny and Overview Committee commencing at the rise of Annual Council;
- (v) to appoint such Task and Finish Working Groups and Local Action Mini Reviews as it considers appropriate, by resolution determining scope, membership and timescale.
- (vi) to recommend the establishment of any Joint Scrutiny and Overview Committees to the Council in accordance with Article 11 of this Constitution.
- (vii) to agree an initial annual scrutiny work programme at its first full meeting after the Annual Meeting in accordance with section 6 of these rules;
- (viii) to delegate elements of its annual work programme to its Sub-Committees to ensure effective use of the Committee's and Sub-Committees' time;
- (ix) to report regularly to ordinary meetings of the Council including the submission of an Annual Report on the work undertaken during the year and on the work programme as agreed at its first meeting of the year.
- (x) to determine the training and development needs of the Committee.
- (xi) to appoint non-voting co-opted Members.

General Powers

All Scrutiny Committees may:

- (a) review or scrutinise decisions made or actions taken in connection with the discharge of any of the Executive's or Council's functions;
- (b) review and scrutinise the performance of the Council in relation to its policy objectives, community needs and particular service areas;
- (c) in accordance with statute and statutory regulations, review and scrutinise the work of partner agencies, partnership boards and any other body providing services to the public.
- (d) question and hold members of the Cabinet, Committee Chairs, Council Officers and representatives of partner agencies, partnership boards and any other body providing public services to account about decisions and performance, whether generally in comparison of service plans and

TERMS OF REFERENCE

targets over a period of time, or in relation to particular decisions, initiatives or projects;

- (e) make reports or recommendations on matters affecting the area or its inhabitants;
- (f) question and gather evidence from any other person and conduct research and consultation in the analysis of policy issues and possible options.
- (g) make reports and recommendations to the Full Council, the Executive or relevant non-executive Committee, partner agency or Partnership Board in connection with the discharge of any functions;
- (h) discharge the functions relating to petitions as set out elsewhere in this constitution.
- (i) receive and discharge the Council's functions in relation to Healthwatch referrals and Councillor Call for Action.
- (j) recommend that a key decision made by the Executive but not yet implemented be reconsidered by the Executive;
- (k) appoint such Sub-Committees and task and finish working groups as may be required in order to discharge the Scrutiny and Overview role and shall allocate areas of responsibility to each Sub-Committee and co-ordinate the work programmes of the Sub Committees.
- (l) receive the reports and recommendations of its Sub-Committees;
- (m) report annually to the Council on its work.

TERMS OF REFERENCE

CHILDREN AND YOUNG PEOPLE SCRUTINY SUB-COMMITTEE

Established: May 2012

Regularity of meetings: 6 meetings in 2016/17, usually on Tuesdays at 6:30pm.

Membership: 8 Members and 5 co-optees (as follows)

The Children and Young People Sub-Committee as the Committee appointed to undertake scrutiny of LEA functions under rule 1.01 in Part 4E of the constitution, will appoint:

- i. 2 statutory voting Church of England and Roman Catholic diocese members nominated by the Bishop and Archbishop of Southwark respectively;
- ii. 2 parent-governor representative voting co-opted Members for LEA matters nominated by parent governors of Croydon;
- iii. 1 Teacher representative non-voting co-opted Member nominated by the Croydon Teaching Unions' Joint Liaison Committee;
- iv. such representatives of Faiths other than those of the Church of England and Roman Catholic dioceses membership as it considers appropriate. This may not include voting rights; and
- v. any number of people as non-voting co-optees as it considers necessary.

The statutory representatives have automatic rights of co-option and voting powers in connection with matters concerning the duties and functions of the Council as an LEA, but may participate without voting on any other matter.

Proportionality: 5 majority, 3 minority

Quorum: One third (Part 4E(4) the Constitution)

Duties of Committee members:

- 1) To read papers and identify questions and comments
- 2) To attend pre-meetings
- 3) To attend Committee meetings
- 4) To declare interests as required
- 5) To carry out any follow up actions
- 6) To take an active role in Mini Reviews on topics of interest
- 7) To participate in Task and Finish groups when/ if convened

TERMS OF REFERENCE

- 8) To contribute to the development of the work programme
- 9) To identify and attend relevant Member Learning and Development events
- 10) To attend visits, investigation meetings, informal briefings and consultation events when held
- 11) To attend an annual scrutiny conference if/ when held

Clerk: Ilona Kytomaa x 62683

REMIT OF THE COMMITTEE

- i. To undertake scrutiny of duties and functions of the Council as a local social services authority relating to children
- ii. To scrutinise all services appertaining to the education and well-being of children and young people including youth services
- iii. To undertake any relevant functions as prescribed to sub-committees within Article 6 and Section 4E of the Council's Constitution.
- iv. To scrutinise any other matter as prescribed by the Scrutiny and Strategic Overview Committee.
- v. To scrutinise life-long learning

See the entry for the Scrutiny and Overview Committee for details of the general responsibilities of **all** Scrutiny Committees.

TERMS OF REFERENCE

HEALTH AND SOCIAL CARE SCRUTINY SUB-COMMITTEE

Established: June 2016

Regularity of meetings: Minimum 6 meetings in 2016/17 usually on Tuesdays at 6:30pm

Membership: 6 councillors plus 1 Healthwatch co-optee (non-voting)

Proportionality: 4 majority and 2 minority (4 majority, 2 minority reserves)

Quorum: One third (Part 4E(4) the Constitution)

Duties of members:

- 1) To read papers and identify questions and comments
- 2) To attend pre-meetings
- 3) To attend Committee meetings
- 4) To declare interests as required
- 5) To carry out any follow up actions
- 6) To take an active role in Mini Reviews on topics of interest
- 7) To participate in Task and Finish groups when/ if convened
- 8) To contribute to the development of the work programme
- 9) To identify and attend relevant Member Learning and Development events
- 10) To attend visits, investigation meetings, informal briefings and consultation events when held
- 11) To attend an annual scrutiny conference if/ when held

Clerk: June Haynes, ext 62317

REMIT OF THE COMMITTEE

The Sub-Committee was established by the Scrutiny and Overview Committee in 2010 with the following remit:

- (i) To undertake all powers of Health Scrutiny as defined in the Health and Social Care Act 2001 and National Health Service Act 2006 and the Health and Social Care Act 2012.
- (ii) To scrutinise Health and Social Care services.

TERMS OF REFERENCE

- (iii) To undertake any relevant functions as prescribed to sub-committees within Article Six and Section 4E of the Council's Constitution.
- (iv) To scrutinise any other matter as prescribed by the Scrutiny and Overview Committee.
- (v) To nominate two committee Members to the South West London Standing JHOSC and 1 observer
- (vii) To nominate a Member/s to any other formally convened JHOSC

See the entry for the Scrutiny and Overview Committee for details of the general responsibilities of **all** Scrutiny Committees.

TERMS OF REFERENCE

STREETS, ENVIRONMENT AND HOMES SCRUTINY SUB-COMMITTEE

Established: Established June 2016

Regularity of meetings: 6 meetings in 2016/17, usually on Tuesdays at 6:30pm.

Membership: 7 Members

Proportionality: 4 majority, 3 minority (and 4 majority, 3 minority reserves)

Quorum: One third (Part 4E(4) the Constitution)

Duties of Committee members:

- 1) To read papers and identify questions and comments
- 2) To attend pre-meetings
- 3) To attend Committee meetings
- 4) To declare interests as required
- 5) To carry out any follow up actions
- 6) To take an active role in Mini Reviews on topics of interest
- 7) To participate in Task and Finish groups when/ if convened
- 8) To contribute to the development of the work programme
- 9) To identify and attend relevant Member Learning and Development events
- 10) To attend visits, investigation meetings, informal briefings and consultation events when held
- 11) To attend an annual scrutiny conference if/ when held

Clerk: James Haywood x 63319

REMIT OF THE COMMITTEE

- 1) To scrutinise:
 - The built environment
 - Planning policies
 - Public realm
 - Transport
 - Highways and streets
 - Green and clean
 - The environment, conservation, climate change and sustainability

TERMS OF REFERENCE

- 2) To scrutinise Flood Risk Management and report findings direct to the Cabinet and/ or other partners (see section 1.05(d) Part 4E Constitution);
- 3) To undertake any relevant functions as prescribed to Sub-Committees within Article Six and Section 4E of the Council's Constitution;
- 4) To scrutinise any other matter as prescribed by the Scrutiny and Overview Committee.

See the entry for the Scrutiny and Overview Committee for details of the general responsibilities of **all** Scrutiny Committees.