

ANNEX 9 - STANDING ORDERS FOR SCRUTINY COMMITTEES

In these Standing Orders:-

“Committee” means a Scrutiny Committee

“Chairman” means the person presiding at the meeting.

“Group Spokesmen” means the opposition spokesman and the spokesman for any other Group represented on the Committee

STANDING ORDER SC.1 - Constitution and Membership

- (1) The composition and remits of Committees are as set out in the Constitution, and the Council shall ensure that, taken together, the Committees’ remits cover all the policies and services of the Council.
- (2) Appointments to Committees shall be made according to the proportionality rules of the Local Government and Housing Act 1989.
- (3)
 - (a) The Council fills places on Committees at its annual meeting every year (but in years not being years of election, committee members remain in office for the ensuing year unless there is a resolution to the contrary).
 - (b) The County Secretary fills casual vacancies
- (4) Committees shall take account of views from a wide range of sources and shall each determine their own arrangements for doing so, including whether to co-opt non-voting members.
- (5) Committees may establish time-limited Topic Groups for particular purposes and will establish Best Value Review Groups to oversee Best Value Reviews.

STANDING ORDER SC.2 - Chairman

- (1) The Chairman and Vice-Chairman of each Committee shall be elected by the Committee at their first meeting after the Annual meeting of the Council each year.

Casual vacancies shall be filled by the Committee.
- (2) The Chairman if present shall preside. If the Chairman is absent the Vice-Chairman shall preside. If the Chairman and Vice-Chairman are absent another member chosen by the members present shall preside.
- (3) The Chairman and Group Spokesmen may require a briefing by Officers on the business of the meeting.

STANDING ORDER SC.3 - Meetings

- (1) The date, time and place of Committee meetings shall be published in the County Diary.
[The County Council at each annual meeting takes note of the County Diary to September in the following year.]

The date and place of Topic Group and Best Value Review Group meetings shall be set either by the Group or by the Chairman as far ahead as possible and notified to members.

- (2) The Chairman may, after consultation with the Group Spokesmen, cancel a meeting because of lack of sufficient business. The Chairman may (after consultation) rearrange the time or date of a meeting if there is a genuinely pressing need.
- (3) Meetings are all held at County Hall unless otherwise notified and the exact venue is identified on the agenda.
- (4) Any three County Council members of the Committee may summon a special meeting at any time, by notice in writing to the County Secretary.
- (5) The summons for a special meeting shall state the business to be considered and no other business shall be considered.
- (6) Members of the Executive have the right to attend relevant meetings and to speak thereat.
- (7) All members of the Council may attend Committees of which they are not members, and may speak, subject to the Chairman's responsibility to control the business of the Committee.
- (8) The Committee may require members of the Executive, and officers to attend meetings to answer questions; any such member or officer shall attend if required.

STANDING ORDER SC.4 – Quorum

No business shall be transacted at a Committee unless at least one quarter of the members, or three members whichever is greater, are present in the meeting.

STANDING ORDER SC.5 - Agendas

- (1) Committee agendas shall consist of matters:-
 - (a) referred by the Executive or by a Cabinet Panel
 - (b) referred from the Council
 - (c) which the Scrutiny Committee itself wishes to scrutinise.

Under (c) any member of the Scrutiny Committee may require items to appear, but Chairmen and Vice-Chairmen shall ensure that agendas are properly organised.
- (2) The County Secretary shall issue to members of the Council, at least 26 days before the meeting, a list of expected agenda items.
- (3) Officers shall prepare reports on all items.
- (4) Members shall not have the right to veto items off an agenda nor to alter the reports of officers.
- (5) The County Secretary will, at least 10 days before the meeting
 - a) send an agenda with summary reports to all members of the Council (if possible by e.mail)
 - b) send an agenda with full reports to all members of the committee and any other members who have requested them.

These documents will only be sent out less than 10 days in advance with the agreement of the Chief Executive.
- (6) Officers shall notify local members of agenda items particularly affecting their division.

STANDING ORDER SC.6 - Voting

- (1) Committees will conduct their business in a flexible manner and will attempt, as far as possible, to reach their conclusions by consensus. If it is necessary for there to be a formal vote, the question shall be determined by a show of hands by a majority of members present and voting.
- (2) If the result of any vote is equal, the Chairman shall have a second (casting) vote.

STANDING ORDER SC.7 – Reports and Call In

- (1) The Committee may report, with recommendations, on any matter it has considered, to
 - a) the Council
 - b) the Executive
 - c) a Cabinet Panel
 - d) a Chief Officer

and the body or person concerned shall consider such a report.

- (2) At a committee meeting the Leader of the Opposition or a spokesman nominated by that Leader may require one identified item to be reported from that meeting to the Council.
- (3) Where the committee have considered a decision taken but not implemented by or on behalf of the Executive they may recommend the decision-taker to reconsider the decision. The County Secretary shall ensure that such a recommendation is conveyed to the decision-taker to enable the decision to be reconsidered. Any such reconsideration shall take place as quickly as possible and the result of it conveyed to all members of the committee.

STANDING ORDER SC.8 – Minutes

- (1) Minutes of each meeting shall be sent to every member of the Council as soon as practicable after the meeting and in any event at least 3 clear days before the next ordinary meeting.
- (2) Minutes of meetings shall be kept in a book which shall be signed at the next meeting by the Chairman. The book shall be open for inspection by any member of the Council.
- (3) Minutes of the previous meeting shall be taken as read and no motion shall be put or discussion take place except upon their accuracy.

STANDING ORDER SC.9 - Procedure and Conduct

- (1) The Order of Business shall be as indicated in the agenda or otherwise as the Chairman shall prescribe.
- (2) The Chairman shall control the conduct of the meeting and the ruling of the Chairman on any point of order shall be final and not be questioned during the meeting.
- (3) All speeches shall be concise and relevant to the matter in hand.

- (4) At each Scrutiny Committee meeting there shall be an opportunity for members of the Scrutiny Committee or of the Council to put questions to relevant Executive Members on items which are not the subject of reports on the Agenda. A member who wishes to ask a question shall give written notice of it to the County Secretary at least 3 clear working days before the meeting, stating to whom the question is to be put. Written copies of the questions and answers shall be available at the meeting. Questions will be answered at the meeting in the order in which notice was received. The members asking the question may ask one supplementary question. The person responding may choose to answer such a supplementary question, or promise a written reply within 7 days. The period allotted for questions shall not exceed 10 minutes. Any questions remaining after that period has elapsed shall be answered in writing within 7 days.

Notwithstanding the requirements of this Standing Order, the Chairman may accept questions without notice if satisfied that they are urgent; such questions shall not count towards the allocated time limit of 10 minutes and shall be answered orally at the meeting or in writing within 7 days.

- (5) Questions relating to matters on the agenda shall be asked when that matter is discussed and may be addressed to the Chairman or to an officer, who may answer orally or may undertake to provide a written reply within seven days.
- (6) Officers will offer to Chairmen and Group Spokesmen a pre-Committee briefing. Members may choose to have these briefings separately or jointly. The briefing with the Chairman may include procedural issues.
- (7) Group briefings will be confidential unless the members concerned indicate otherwise.

STANDING ORDER SC.10 - Meetings Open to the Public

- (1)* All meetings shall be open to the public except to the extent that they are excluded under (3) below and of the safe capacity of the room where the meeting is being held.
- (2) Those present may make a written record of the proceedings but no person (including members) may undertake photography or any form of sound or vision recording without the express consent of the Chairman.
- (3) If the business to be transacted includes confidential or exempt information as defined in Sections 100A(3) and 100 I respectively of the Local Government Act 1972, the Chairman shall move a motion under Section 100A(2) or (4) of the Local Government Act 1972.
- (4) Smoking is prohibited.

STANDING ORDER SC.11 - Public Petitions

- (1) Following confirmation of the minutes, there shall be an opportunity for any member of the public being resident in or a registered local government elector of Hertfordshire to present a petition relating to a matter with which the Committee are concerned, containing 100 or more signatures of residents or business ratepayers of Hertfordshire. The person named in the notification referred to in (2) below may then address the Committee for no more than three minutes on the subject of the petition, but thereafter shall not have the right to speak further. If the subject matter of the petition is not the subject of a report on the agenda of the meeting concerned, the petition will be referred to the next appropriate meeting, or to officers for consideration and report to the local member and Group Spokesmen.

- (2) Notification of intent to present a petition must be given in writing to the County Secretary at least 14 clear days before the meeting where an item relating to the subject matter of the petition does not appear on the agenda for the meeting and at least three clear days before where the item is the subject of a report.
- (3) Not more than two petitions shall be presented at any one meeting of the Committee unless the Chairman so allows. The order of notification under (2) above shall govern priority subject to (4) below.
- (4) The County Secretary shall have authority to amalgamate within the first received petition other petitions of like effect on the same subject.

STANDING ORDER SC.12 - Disorder

- (1) If a member persistently disregards the ruling of the Chairman, behaves in a disorderly manner or wilfully obstructs the business of the meeting, the Chairman may require that the member be silent or that the member leave the meeting. If the member does not comply or otherwise persists in misconduct, the Chairman may order that the member be removed.
- (2) If a member of the public interrupts the meeting or behaves in a disorderly manner the Chairman shall give a warning. If the warning is disregarded, the Chairman may order that the member of the public be removed and may adjourn or suspend the meeting for so long as seems fit.
- (3) In the case of general disturbance by members of the public the Chairman may order that all or part of the room be cleared and may order that members of the public be removed from all or any part of the building where the meeting is being held.

STANDING ORDER SC.13 - Members' Interests

- (1)* Any member who has any pecuniary interest, direct or indirect, within the meaning of Section 94 of the Local Government Act 1972 in any matter shall forthwith disclose that interest and shall withdraw from the room, unless the disability has been removed.
- (2) Any member who has a personal interest defined by the National Code of Local Government Conduct in any matter shall forthwith disclose that interest but may remain, speak and vote unless the interest is clear and substantial in which case the member shall withdraw from the room (unless allowed to remain by the National Code).

STANDING ORDER SC.14 - Disclosure

A member shall not disclose to any person except a member of the Council any Committee papers indicated to be confidential unless:-

- (a) the Committee expressly consent;
- (b) the Council has taken steps to make that business public; or
- (c) the law requires.

STANDING ORDER SC.15 - Variation and Suspension

These Standing Orders shall only be revoked or varied by the Council, may not be suspended by a Committee.