
REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	12TH SEPTEMBER 2012	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN PARAGRAPH NO: N/A
MEMBERS' CONTACT POINT:	PAUL SPENCER (01283 595722) paul.spencer@south-derbys.gov.uk	DOC:
SUBJECT:	REGULATIONS MADE UNDER THE LOCALISM ACT	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: N/A

1.0 Recommendations

1.1 That the Overview and Scrutiny Committee makes recommendations to the Council on proposed changes to the Constitution, to meet the requirements of the Local Authorities (Committee System) (England) Regulations 2012.

2.0 Purpose of Report

2.1 To propose minor alterations to the sections of the Constitution which relate to the Overview and Scrutiny Committee, to meet the requirements of Regulations made under the Localism Act.

3.0 Detail

3.1 The Localism Act 2011 includes provisions for the Secretary of State to make regulations about the operation of Overview and Scrutiny in "Committee System" authorities like South Derbyshire. These regulations, the Local Authorities (Committee System) (England) Regulations 2012 came into force in May.

3.2 A few minor alterations are required to Article 6 of the Council's Constitution and to the Overview and Scrutiny Procedure Rules. The changes proposed are shown in the draft Article and Procedure Rules at Appendices 1 and 2 respectively.

3.3 In summary, these changes are:

- The ability for a single Member (who is not a Member of Overview and Scrutiny) to refer to the Committee any matter relevant to its functions. Our current Procedure Rule requirement is for a minimum of two Members to submit such a request.

- The period allowed for a response to a scrutiny report or recommendation is now two months. Our current Procedure Rule allows 3 months.
- To clarify that scrutiny may also make reports or recommendations to officers. Our current scheme provides for reports to the Council or its policy committees.

3.4 The Committee's views are sought on the proposed changes to Article 6 and the Overview and Scrutiny Procedure Rules. These will then be recommended to Council later in September.

4.0 Financial Implications

4.1 There are no financial implications arising from this report.

5.0 Corporate Implications

5.1 None arising directly from this report.

6.0 Background Papers

6.1 The Local Authorities (Committee System) (England) Regulations 2012.