

D. The Scrutiny Committee

The Scrutiny Committee

1. Statement of Purpose

1.1 The Scrutiny Committee's purpose shall be:-

- a. To act as a focus for the monitoring, scrutiny and challenge of the Mayor, the Authority, its committees Thematic Executive Boards and Officers and South Yorkshire Passenger Transport Executive (SYPTE);
- b. To investigate matters of strategic importance to residents and businesses within the Sheffield City Region and to report with recommendations to the Mayor, the Authority or SYPTE;
- c. To scrutinise the decisions of the Mayor, the Combined Authority, its committees and Officers and the major or strategic decisions of SYPTE and to make recommendations for improvement and/or change;
- d. To review the performance of the Combined Authority and SYPTE.

1.2 The terms of reference for the Scrutiny Committee and its work programme will be subject to an annual review by the Combined Authority.

2. Appointment of Members

- 2.1 Members of the Authority may not be members of the Scrutiny Committee.
- 2.2 The majority of members of the Scrutiny Committee must be members of the Constituent Councils.
- 2.3 The Authority must appoint such a number of members of each of the Constituent Councils to the Scrutiny Committee, so that the members of the committee taken as a whole reflect (so far as reasonably practicable) the balance of political parties for the time being prevailing among members of the Constituent Councils taken together.
- 2.4 Within the period of 28 days beginning with the day on which an appointment is made to the Scrutiny Committee, publish a notice on the Sheffield City Region Combined Authority website that:

- (a) states that it has made an appointment;
 - (b) identify each member of the committee who has been appointed;
and
 - (c) specifies the period for which the members of the committee have been appointed.
- 2.5 Each member of the Scrutiny Committee appointed from the constituent councils will have one vote.
- 2.6 The Chair (if not an Appropriate Person) shall be a non-voting members of the committee.
- 2.7 Any questions are to be decided by a simple majority of the members present.
- 2.8 If a vote is tied on any matter it is deemed not to have been carried.

3. Appointment of the Chair

3.1 The Authority may appoint as Chair either:-

- (a) an independent person; or
- (b) an Appropriate Person

in either case appointed in accordance with the 2017 Order and Schedule 5A of the 2009 Act.

For the purpose of this paragraph 'Appropriate Person' means a member of one of the combined authority's constituent councils who is not a member of a registered political party of which the Mayor is a member.

4. Quoracy / Attendance

- 4.1 Two-thirds of the total number of members (or their substitute) of the Scrutiny Committee must be present at a meeting before business may be transacted.
- 4.2 The Scrutiny Committee
- a. may require the Members or officers of the Authority to attend before it to answer questions, and

- b. may invite other persons to attend meetings of the committee.
- 4.3 The Scrutiny Committee will meet as often as the Committee agrees and at least quarterly

5. Powers

5.1 The Scrutiny Committee has power:-

- a. To review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibilities of the Mayor or the Authority
- b. To make reports or recommendations to the Authority with respect to the discharge of any functions that are the responsibility of the Mayor or the Authority
- c. To make reports or recommendations to the Authority on matters that affect the Authority's area or the inhabitants of the area

5.2 The Scrutiny Committee's power under paragraph 5.1 (a) above to review or scrutinise a decision made but not implemented includes –

- a. Power to direct that a decision is not to be implemented while it is under review or scrutiny by the Scrutiny Committee; and
- b. Power to recommend that the decision be reconsidered.

5.3 Where the Scrutiny Committee have exercised the power to under 5.2 (b) above the Authority must hold a meeting to reconsider the decision no later than 10 days after the date on which the recommendations of the Scrutiny Committee were received by the Authority.

5.4 Where the Scrutiny Committee have exercised the power under 5.2(a) above the Mayor or the Authority (as appropriate) shall not implement the decision for a period of 14 days (or such shorter period the Scrutiny Committee directs) from the date or which the direction is issued.

5.5 Where the Scrutiny Committee make a report or recommendation under 5.1 (b) or (c) above the Authority (or Mayor as appropriate) must respond to such report or recommendation within 2 months of receiving notice from the Scrutiny Committee that it has made the report or recommendation such response to indicate what (if any)

action the Mayor or Authority (as appropriate) propose to take. If the Scrutiny Committee had published the report or recommendation the Mayor's/Authority's response should also be published.

6. Referral of matters to the Scrutiny Committee

6.1 The following individuals may refer matters to the Scrutiny Committee which is relevant to the function of the committee (or sub-committees) and in doing so may make representations as to why it would be appropriate for the Committee to consider the matter:

- a. Any member of the Scrutiny Committee
- b. Any member of the Combined Authority
- c. Any member of a Constituent Council of the Combined Authority.

The Scrutiny Committee must have regard to any representations made by the Member in referring the matter.

6.2 Subject to 6.3 below the Scrutiny Committee will consider the matters referred and place the matter on their work programme for further discussion.

6.3 If the matter referred is not placed on the committee's work programme the member making the referral will be notified with the decision and the reason why the item will not be discussed further by the committee

7. Additional rights of access to documents for members of the Scrutiny Committee

7.1 A member of the Scrutiny Committee (or sub-committee) is entitled to a copy of any document which:

- a. Is in the possession or under the control of the Authority; and
- b. Contains material relating to any business that has been transacted at a meeting of a decision making body of the Authority;

7.2 Members of the Scrutiny Committee are not entitled to a copy of a document or part of a document which contains exempt or confidential information, unless it is relevant to an action, review or decision that the Member is reviewing or scrutinising.

7.3 Members of the Scrutiny Committee are not entitled to a copy of a document or part of a document which contains advice provided by a political adviser.

7.4 Where the Authority determines that a member of a Scrutiny Committee is not entitled to a copy of a document, a written statement setting out the reasons for that decision must be made available to the member.