Proposed changes to constitution to comply with Part 5, chapter 2 of LGPIH Act 2007 – Overview & Scrutiny Committees

Sections 119-124 the LGPIH Act 2007 came into force on 1 April 2009, resulting in amendments to part 2 of the Local Government Act 2000

Section 126 of the LGPIH Act came into force on 30 April 2009, resulting in amendments to section 19 of the Police & Justice Act 2006

Amendments to Local Govt Act 2000 and Police & Justice Act 2006	**Constitutional amendment required**
Section 21A(1) LGA 2000 Section 19(3)(b) PJA 2006	Amend part 6.1, para 13.2 of Scrutiny Procedure Rules (SPR), so that any Member may refer any local government or crime and disorder matter to the relevant O & S Committee (Councillor "Call for Action") – this makes it explicit that a Member does not have to be Member of an Overview and Scrutiny Committee to raise an issue for scrutiny.
Section 21A(6)(b) Section 19(6)(b)	Insert new clause to part 6.1, para 15 SPR, giving the relevant O & S Committee power to have regard to member representations as to why it should exercise its powers to make a report or recommendation
Section 21A(7)-(8) Section 19(7)	Insert new clause at part 6.1, para 13 SPR, requiring the relevant O&S Committee to notify the Member with reasons if the Committee does not exercise its powers in relation to the matter raised by the Member.
Section 22A and Regulation 10 of The Local Authorities (Overview and Scrutiny Committees) (England) Regulations 2009 *NB: regulations in force 12.8.09*	Insert new provision after Part 6.2, para 3 SPR, confirming O & S Committees may require certain LAA related information from partners organisations.
Section 21B Regulation 15 of The Local Authorities (Overview and	Amend part 6.1, paras 15.1-15.3 SPR, to set out a deadline for a response by the Executive to a Scrutiny report. Also at paras 15.1-15.3 SPR to make provision to enable the exemption of

Scrutiny Committees) (England) Regulations 2009	confidential or relevant exempt information from documents published by the executive comprising their response to a scrutiny report or recommendation
Section 19(2)and (8)	Add new clauses to part 6.1, para 15 SPR, as regards the Crime and Disorder Committee making its reports or recommendations available to specified persons
Section 21C	Add new clauses to part 6.1, para 15 SPR, giving any O & S committee power, where the committee has made a report or recommendation under s21B relating to a local improvement target for which a partner authority is responsible, to require that partner to have regard to the report or recommendation
Section 19(8B)	Add new clause to Part 6.1, para 15, as regards the notice to be given by the Crime and Disorder Committee to the authority, person or body to whom it provides a report or recommendation
Section 21D	Add new clauses to part 6.1, para 15 SPR, setting out the prohibition and restrictions on the publication of O & S reports or recommendations (and in providing copies to a member of the local authority or a relevant partner authority) containing confidential or exempt information

Proposed changes to the constitution resulting from The Crime and Disorder (Overview & Scrutiny) Regulations 2009 – SI 2009/942

These regulations came into force on 30 April 2009

Regulation No.	**Constitutional amendment required**
3 – co-opting of additional members	Add new clause to part 6.1, para 7, enabling co optees on the Crime and Disorder Committee
4 – frequency of meetings	Add new clause to part 6.1, para 9, requiring the Crime and Disorder Committee to meet at least once per year
6 – attendance at committee meetings	Add new clause to part 6.2, para 4, enabling the CDC to require attendance at a meeting of the CDC by officers or employees of a responsible authorities and partners
7 – responses to CDC reports	To be received by the CDC within 28 days or as son as reasonably possible thereafter