
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out various matters relating to the Statutory Committee and Scrutiny Committee of the Council and to the functions of advisers to the Statutory Committee and Scrutiny Committee.

Regulations 1 and 2 deal with preliminary matters, including commencement and interpretation and regulation 3 sets out the composition of the Scrutiny Committee.

Regulations 4 and 5 set out the eligibility of former members of Council for appointment to the Statutory Committee or Scrutiny Committee and the disqualifications which apply for appointment to the Statutory Committee or Scrutiny Committee.

Regulation 6 sets out the circumstances in which the Council may suspend or remove a member of the Statutory Committee or Scrutiny Committee from office.

Regulation 7 confers additional functions on the Scrutiny Committee including the provision of an annual report to the Council.

Regulations 8 and 9 deal with the term of office of Scrutiny Committee members and the procedure for resignation from office of members of the Statutory Committee or Scrutiny Committee.

Regulation 10 sets out the circumstances where the proceedings of the Statutory Committee or Scrutiny Committee are not invalidated.

Regulations 11 to 13 deal with how vacancies on the Statutory Committee or Scrutiny Committee are to be filled (including provision requiring the Council to maintain a reserve list of Statutory Committee and Scrutiny Committee members) and providing a power for the chair of the Statutory Committee or Scrutiny Committee to co-opt members.

Regulations 14 to 17 contain provisions relating to meetings and hearings of the Statutory Committee and the Scrutiny Committee, including the requirement for each committee to have a secretary and that the number of members who are registered persons considering a case must not be in a majority of more than one. Additionally there are provisions against bias and which set out that voting will be by simple majority.

Regulations 18 to 24 deal with the functions of legal, clinical and other specialist advisers to both the Statutory Committee and the Scrutiny Committee. There are requirements relating to the manner in which advice is to be tendered and recorded, and to the announcing and recording of decisions not to accept advice from professional advisers. Professional advisers are also given the power, with the permission of the chair of the Statutory Committee, to question witnesses.