

Title of meeting:	Governance and Audit and Standards Committee Council
Date of meeting:	2 November 2018 13 November 2018
Subject:	Proposed change to Constitution Part 3: Rules of Procedure - Policy and Review Panels (Overview and Scrutiny) Procedure Rules
Report by:	City Solicitor
Wards affected:	N/A
Key decision:	No
Full Council decision:	Yes

1. Purpose of report

To ask Members to consider a proposed change to the Call In Procedure, as set out in section 15 of the Constitution Part 3: Rules of Procedure - Policy and Review Panels (Overview and Scrutiny) Procedure Rules.

2. Recommendations

It is recommended that Governance & Audit & Standards Committee

1. Consider and agree the proposed amendment set out below:-

That under the heading "Process of call-in" in section 15 of the Constitution Part 3; Rules of Procedure, bullet point 7 be amended to read

"The lead call-in member would not be allowed to vote on the item even if they are a member of the management panel."

2. Recommend to Council that the Constitution be amended to reflect this change

3. Background

The City Solicitor seeks to correct this anomaly in the current procedure. as set out in the Constitution Part 3: Rules of Procedure - Policy and Review Panels (Overview and Scrutiny) Procedure Rules. The current wording allows the lead call-in member to vote on the item if they are a member of the Scrutiny Management Panel.

4. Reasons for recommendations

The proposal to prohibit the lead call in member from voting on the matter called in even if they are a member of the management panel has been made because it would appear to any member of the public that the lead call-in member would be unlikely to have an 'open mind' on the matter.

5. Equality impact assessment

The contents of this report do not have any relevant equalities impact and therefore an equalities assessment is not required.

6. Legal implications

The City Solicitor's comments are included in this report.

7. Director of Finance's comments

There are no financial implications arising from the recommendations set out in this report.

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Signed by:

Appendix: none

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location