

## REPORT TO CONSTITUTION SUB COMMITTEE

Title: **AMENDMENT OF THE CALL-IN PROCEDURE**

Date: 01 June 2011

Member Reporting: Councillor Burbage

Contact Officer(s): Maria Lucas, Head of Legal  
01628 796665

Wards affected: All, indirectly

### 1. SUMMARY

This report sets out a proposed amendment to Part 4E 16 of the Constitution to reduce the numbers of Members required to utilise the call-in mechanism.

### 2. RECOMMENDATION: That:

**The Constitution Sub Committee authorise the Head of Legal to update the existing Part 4E 16 of the Constitution, to reflect the change in the number of the members required to call in a decision.**

What will be different for residents as a result of this decision?
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It will be easier for Cabinet decisions to be called in, allowing effective scrutiny, which will ensure better decision making.
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### 3. SUPPORTING INFORMATION

#### 3.1 Background

3.1.1 In Part 4E 16 of the Constitution, the requirements for call in are set out as 5 Members of the Council (2 of whom must be members of the relevant Overview and Scrutiny Panel). Due to the current composition of the Council, it is proposed that to ensure this remains an effective procedure, the requirement be changed to "4 members of the Council (1 of whom must be a member of the relevant Overview and Scrutiny Panel)". This will allow the relevant Overview and Scrutiny Panel to more easily request a call-in of a Cabinet decision.

3.1.2 The Constitution Sub Committee is therefore requested to authorise the Head of Legal to make the required changes.

#### 4. OPTIONS AVAILABLE AND RISK ASSESSMENT

##### 4.1 Options

	<b>Option</b>	<b>Comments</b>	<b>Financial Implications</b>
1.	The revised wording is approved.	<b>Recommended</b> – This will increase the opportunity for call-in of Cabinet decisions.	Revenue: None. Capital: None.
2.	The revised wording is not approved.	Not recommended – this will not increase the opportunity for call-ins.	Revenue: None Capital: None

##### 4.2 Risk assessment

A risk of possible abuse of the increased opportunity for call-ins has been identified, however in view of the composition of Council, this is minimal.

#### 5. CONSULTATIONS CARRIED OUT

No consultation is required.

#### 6. COMMENTS FROM THE OVERVIEW AND SCRUTINY PANEL

N/A

#### 7. IMPLICATIONS

The following implications have been addressed where indicated below.

<b>Financial</b>	<b>Legal</b>	<b>Human Rights Act</b>	<b>Planning</b>	<b>Sustainable Development</b>	<b>Diversity &amp; Equality</b>
✓	✓	N/A	N/A	N/A	✓

Background Papers: None