

Report of Head of Scrutiny and Member Development

Report to Head of Governance

Date: 18 August 2015

Subject: Amendment to Scrutiny Board Procedure Rule 11.21 - Requests for reviews from other sources

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. Previous versions of the Scrutiny Board Procedure Rules in relation to 'requests for reviews from other sources' had a footnote that read;
Except in exceptional circumstances, the Scrutiny Officer, will not refer requests which solely relate to the interests of one individual or company to the Scrutiny Board for consideration
2. This footnote was removed and replaced by a footnote that read;
See further Scrutiny Board Procedure Rules Guidance notes
3. That footnote took the reader to a guidance note which dealt with requests for scrutiny from a whole range of sources included in which was a reference to 'requests from other sources' and the statement that the Scrutiny Officer will not refer requests which solely relate to the interests of one individual or company to the Scrutiny Board for consideration.
4. That guidance note has subsequently been removed and with it the statement that individual requests will not be referred, however the footnote in the Scrutiny Board Procedure Rules which refers the reader to the guidance note still remains. The consequence of this is that the footnote is incorrect and the reference to the Scrutiny Officer not referring individual requests has been lost. A proposed revision to the Scrutiny Board Procedure Rules is shown as Appendix 1 (with track changes)

Recommendations:

The Head of Governance is asked to agree an amendment to the Scrutiny Board Procedure Rules which reinstates a footnote at 11.21 (footnote 19) which reads;

Except in exceptional circumstances, the Scrutiny Officer will not refer requests which solely relate to the interests of one individual or company to the Scrutiny Board for consideration

1 Purpose of this report

- 1.1 The report requests minor amendments to the Council's Scrutiny Board Procedure Rules for clarification purposes.

2 Main issues

- 2.1 Previous versions of the Scrutiny Board Procedure Rules in relation to 'requests for reviews from other sources' had a footnote that read;

Except in exceptional circumstances, the Scrutiny Officer, will not refer requests which solely relate to the interests of one individual or company to the Scrutiny Board for consideration

- 2.2 This footnote was removed and replaced by a footnote that read

See further Scrutiny Board Procedure Rules Guidance notes

- 2.3 That footnote took the reader to a guidance note which dealt with requests for scrutiny from a whole range of sources included in which was a reference to 'requests from other sources' and the statement that the Scrutiny Officer, will not refer requests which solely relate to the interests of one individual or company to the Scrutiny Board for consideration.

- 2.4 That guidance note has subsequently been removed and with it the statement that individual requests will not be referred, however the footnote in the Scrutiny Board Procedure Rules which refers the reader to the guidance note still remains. The consequence of this is that the footnote is incorrect and the reference to the Scrutiny officer not referring individual requests has been lost.

3 Corporate Considerations

3.1 Consultation and Engagement

- 3.1.1 This matter has been discussed with the responsible Executive Board Member, Councillor James Lewis and the Head of Governance.

3.2 Equality and Diversity / Cohesion and Integration

3.2.1 There are no implications.

3.3 Council policies and Best Council Plan

3.3.1 A key priority for the council is becoming a more efficient and enterprising council which improves engagement with the public, partners and staff. The Scrutiny Board Procedure Rules should be written to ensure that takes place efficiently.

3.4 Resources and value for money

3.4.1 There are no additional resource implications.

3.5 Legal Implications, Access to Information and Call In

3.5.1 There are no legal implications arising from this report.

3.6 Risk Management

3.6.1 Those with individual complaints will be directed to more appropriate avenues for solution, for example the Council's complaint procedures.

4 Conclusions

4.1 Through the process of various amendments to the Scrutiny Board Procedure Rules, a specific action and reference has been lost which needs to be reinstated for clarification purposes.

5 Recommendations

5.1 The Head of Governance is asked to agree an amendment to the Scrutiny Board Procedure Rules which reinstates a footnote at 11.21 (foot note 19) which reads;

Except in exceptional circumstances, the Scrutiny Officer, will not refer requests which solely relate to the interests of one individual or company to the Scrutiny Board for consideration

6 Background documents¹

None used

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.