

COMMITTEE: CONSTITUTION
DATE: 26TH JUNE, 2002
SUBJECT: REFERENCE FROM SCRUTINY
BOARD - CONSTITUTIONAL ISSUE
REPORT BY: CHIEF EXECUTIVE (HEAD OF LOCAL DEMOCRACY)
CONTACT OFFICER: JUSTIN SISMEY 546034
IMPLICATIONS:

LEGAL	✓	COMMUNITY SAFETY
EQUALITIES		ENVIRONMENT
FINANCIAL		CONSULTATIONS
STAFFING		OTHER

WARDS AFFECTED: NONE

PURPOSE

1. The purpose of this report is to advise the Committee of the deliberations of the Scrutiny Board at their meeting on 30th May 2002 in respect of a constitutional issue relating to call-in and to accordingly recommend amendments to the Constitution to the Constitution Committee for recommendation to Council.

RECOMMENDATION(S)

2. **Constitution Committee is recommended to recommend the Council to approve the proposed amendments to the Constitution in relation to the Call in process as detailed at paragraph 4 below.**

REPORT

3. Further to an informal meeting of chairs and vice chairs of scrutiny on 3rd April, 2002 the Scrutiny Board at their meeting on 30th May, 2002 considered a number of matters including a constitutional issue detailed below:
4. Consideration of Call-Ins – Members considered whether called in decisions of the Executive should be considered at the next scheduled meeting of the appropriate scrutiny committee or at a special meeting of the committee specifically convened for that purpose. The Board felt that called in decisions should be considered by the appropriate scrutiny committee within four weeks of

APPENDIX 1

the expiry of the call-in period. This should be a special meeting of the committee specifically convened for that purpose unless the chair and vice chair of the committee agree to its inclusion in the agenda of a scheduled meeting within the same period. The Members who have called in the decision should be consulted about the date for the special meeting with a view to selecting a date which is convenient to either or preferably both if this could be achieved. Should this proposed amendment be accepted by the Constitution Committee Standing Order 55 would need to be amended and recommended to Council for adoption.

PROPOSAL/OPTION

5. The Constitution Committee can recommend to Council to either approve, refuse or amend the proposed amendment to the Constitution.

LEGAL IMPLICATIONS

6. If the timescale for call-in is lengthened it is likely to lead to increased use of the exemption from call-in procedure.

LIST OF BACKGROUND PAPERS

LOCAL GOVERNMENT ACT 1972, SECTION 100D

Scrutiny Board Minutes 30th May 2002

Luton Borough Council Constitution