

Item No.	Classification: Open	Date: October 13, 2008	Meeting Name: Scrutiny Sub-Committee C
Report title:		Request for a non-voting Co-optee to the Scrutiny Sub-Committee C re the Freedom Pass review	
Ward(s) or groups affected:		All	
From:		Head of Overview and Scrutiny	

RECOMMENDATION(S)

1. That the sub-committee considers the appointment of a non-voting co-optee or an external advisor for the duration of the Freedom Pass Review.

(Appointing an external adviser is within the sub-committee's own remit. Appointment of a co-optee requires the approval of Overview & Scrutiny Committee and a formal decision by Council Assembly.)

BACKGROUND INFORMATION

2. The Disabilities and Pensioners Forum have asked for a representative from each group to be co-opted onto the sub-committee to assist in the review.

KEY ISSUES FOR CONSIDERATION

3. Public engagement is one of the core roles of scrutiny. The council's constitution provides for hearing from witnesses and co-opting additional members to a committee where they have some particular expertise or experience of the issues under consideration. In addition, the use of external expert advice by scrutiny committees is considered to be good practice.
4. Overview and Scrutiny Committee (OSC) has discussed the respective roles of co-optees, experts and witnesses from time to time as part of its ongoing review of scrutiny practice. The grid attached at Appendix A was discussed by OSC in October 2006 and summarises the distinctions between the roles.
5. The sub-committee may appoint an expert advisor without reference to OSC. It may recommend to OSC that a non-voting co-optee be appointed, for a fixed period of time, and this would require agreement by Council Assembly.
6. A proposed co-optee must be a named individual whose term of office would not commence until formal signing of the Members' Code of Conduct and following appropriate vetting procedures.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director for Legal and Democratic Services

7. The report recommends that the committee considers the appointment of a non-voting co-optee or an external advisor to assist with the freedom pass review. A committee appointed under the provisions of section 101 the Local Government Act (the 1972 Act) may chose to include persons who are not members of the appointing authority or in the case of a sub-committee, the authority of whom they are a sub-committee. The power to co-opt a non- member is contained in section 102 (3) of the 1972 Act.
8. The council's constitution provides that such a cooption would need to be recommended by OSC to Council Assembly.
9. The council's constitution provides at section 16.1 b of the Overview and Scrutiny Procedure Rules that scrutiny committees can appoint advisers to assist in their work.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Title of document(s)	Title of department / unit Address	Name Phone number

APPENDICES

No.	Title
Appendix A	Formal public involvement in scrutiny

AUDIT TRAIL

This section must be included in all reports.

Lead Officer	Shelley Burke	
Report Author	Shelley Burke	
Version	Final	
Dated	October 3, 2008	
Key Decision?	Yes/No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director for Legal and Democratic Services	Yes	Yes

Finance Director	No	No
List other officers here		
Executive Member	Yes/No	Yes/No
Date final report sent to Constitutional/Community Council/Scrutiny Team	October 3, 2008	