

Chapter 2 Part 7b: CALL – IN PROCESS FLOW DIAGRAM

The Overview and Scrutiny Committee has the power to Call-In decisions made by the Cabinet a Committee or an Officer under delegated authority, but not yet implemented.

Exceptions:

- Call-In can be invoked in respect of a decision only once
- Call-In does not apply to day-to-day management and operational decisions taken by Officers (Administrative Decisions)
- A decision which is an “excluded matter”* pursuant to the Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2012 cannot be Called-In.*

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Urgent decision

- The Call-In procedure shall not apply where a decision being taken is urgent
- A decision will be urgent if any delay likely to be caused by the Call-In process would seriously prejudice the Council’s or the public’s interests.
- The decision and notice will specify whether the decision is urgent.

SIGNED NOTICE REQUESTING DECISION TO BE CALLED-IN

A notice stating the reasons for the request for a decision to be Called-In must be signed and submitted to the Monitoring Officer within 5 working days of the publication of the decision in question

A notice may be signed by the Chair, or in their absence the Vice-Chair of the Overview and Scrutiny and two Members of the Committee; or by any five Members of the Council requesting that the decision is Called-In

CONSIDERATION

The Monitoring Officer will then seek the views of the Chair, or in their absence, Vice-Chair of the Overview and Scrutiny Committee as to the validity of the Call-In request

The Chair or Vice-Chair will consider whether the case to Call-In the decision has been made out and whether delaying the implementation of the decision would likely to cause significant damage to the Council’s interest.

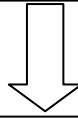
VALID REQUEST ✓

Monitoring Officer to convene a meeting of the Overview & Scrutiny Committee within 7 working days

INVALID REQUEST ✗

Decision will not be Called-In. Monitoring Officer report for reasons why will be available at next Overview & Scrutiny Committee meeting.

When a valid request has been made:



THE MEETING

After Chair opens the meeting, the Members who asked for the decision to be Called-In then explain their reasons for the request.

Electoral relevance – the Ward Members who are not signatories to a Call-In have the opportunity to comment on the Call-In, however speeches should not exceed five minutes each.

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Decision-maker and / or any relevant Portfolio Holder(s) on behalf of the Cabinet to make comments.

Relevant Head of Service or their representation will advise the Scrutiny Members of the background and context of decision.

Scrutiny Members to ask questions of the decision-maker and / or relevant Portfolio Holder(s) on behalf of the Cabinet, Ward Members and Officers in attendance.

Decision-maker and any relevant Portfolio Holder(s) on behalf of the Cabinet to make final comments.

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DECISION

No further action – decision will take effect immediately.

Refer matter to full Council for views

Refer decision back to decision-maker and / or relevant Portfolio Holder(s) on behalf of the Cabinet for further consideration and report back within 10 working days.

**"Excluded matters" are:

- planning decision
- licensing decision
- any matter concerning an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment
- any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the Overview & Scrutiny Committee.
- any matter which is a local crime and disorder matter for the purposes of Section 19 of the Police and Justice Act 2006.