

Call In

4.5.14

When a decision is made by the Executive or a committee of the Executive, or a key decision is made by an officer with delegated authority from the Executive or an area committee or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council. All Members of the Council will be sent copies of the records of all such decisions, by the person responsible for publishing the decision.

The notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 clear working days after the publication of the decision, unless two members call in the decision. Members shall call in a decision of the Executive in accordance with the procedure appended to these rules. The called in item will be considered by the relevant Scrutiny Committee at its next ordinary meeting.

In the event of a called in item being within the terms of reference of more than one Scrutiny Committee, it will be for the Scrutiny Management Board to determine which Scrutiny Committee the item will go to.

The relevant Portfolio Holder shall be informed of the call-in of the relevant item and informed of the date at which the relevant Scrutiny Committee will consider the item, so that the Portfolio Member may attend that meeting of the relevant Scrutiny Committee to answer the call in.

The members calling in the item shall be informed of the date at which the relevant Scrutiny committee will consider the item.

If, having considered the decision, the Scrutiny Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or (if the decision appears to be outside the Policy Framework) refer the matter to the Council Meeting. If referred to the decision maker that person or body shall then consider amending the decision or not, before adopting a final decision.

If the Scrutiny Committee does not consider it at its next ordinary meeting or does consider it but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the Scrutiny Committee meeting.

If the matter was referred to the Council Meeting and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective. However, if the Council Meeting does object, it has no right to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council Meeting will refer any decision to which it objects back to the decision-making person or body, together with the Council Meeting's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it.

If the Council Meeting does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.