

Call In Procedure

A. Prior to the Meeting

1. Following the acceptance of a call-in request as being valid under the terms of the Council's Constitution, the relevant Portfolio Holder/Decision Taker and Director/Officers will be informed of the call-in request and that they are requested to attend a meeting of the Overview and Scrutiny Committee to try and resolve any questions relating to the issue.
2. The Members requesting the call-in will be invited to attend the meeting of the Overview and Scrutiny Committee, as will the Leader, relevant portfolio holder and service manager.
3. Any further evidence relating to the decision in question must be submitted to the Monitoring Officer at least one clear working day preceding the call-in meeting to allow for due consideration.

A. Meeting of the Overview and Scrutiny Committee Procedure

1. Those Councillors calling-in the decision will be given collectively 10 minutes introduction to explain their reasons and the evidence for the call-in.
2. Those Councillors speak separately or may agree to nominate one of them to speak on behalf of them all.
3. Following the explanation of reasons for call in, the Chairman shall decide, where there is more than one reason for the call-in, if debate shall be held on each ground individually or whether all should be taken together.
4. The Chairman will ask the Cabinet Member (or Cabinet Members if there is more than one who will be speaking on behalf of the Cabinet) and officers if they wish to add anything at this stage.
5. Those Councillors calling-in the decision will then be given collectively 20 minutes to question the Cabinet Member and officers. This may be individually or through one of them on behalf of them all. They do not have the right to put forward recommendations; this right is reserved for Members of the Committee only.
6. Members of the Committee may then question the Cabinet Member(s) and officers.
7. Those Members who have called-in the decision will collectively have 5 minutes at the end of the debate to sum up their arguments. Again, this may be individually or by one of them nominated on behalf of them all.
8. The Cabinet Member(s) will be given an opportunity to give a final response (5 minutes).

9. The Chairman will then invite contributions from members of the Committee in the order that they have indicated a wish to speak. There shall be no limitation on the number of times that a member may speak, but the Chairman may curtail a member if the point has been made by that member earlier in the debate or is otherwise not relevant to the matter under consideration.
10. Once the Chairman is satisfied that the matters under debate have been fully considered, members of the Committee shall be invited to propose a recommendation from the options available as set out in paragraph 12 below include the proposed reason(s) for the selected option.

Providing the recommendation is seconded it shall be put to the vote without further discussion.
11. If the recommendation is not seconded or falls on the vote, the Chairman shall call for an alternative recommendation.
12. Having considered the call-in and the reasons given, the Overview and Scrutiny Committee may:
 - (a) refer it back to the decision-making person or body for reconsideration, normally in time for its next scheduled meeting, setting out in writing the nature of its concerns and any alternative recommendations;
 - (b) if it considers that the decision is outside the Council's budget and policy framework, refer the matter to Full Council after seeking the advice of the Proper Officer(s);
 - (c) decide to take no further action, in which case the original Cabinet decision will be effective immediately.

The presumption should be that the meeting and all papers submitted to the Committee shall be open to the press and public. It may be necessary however to exclude the press and public to deal with "exempt" or confidential matters. This may be important not only on the day to stop the disclosure to the press and public of exempt material (such as advice affecting the Council's legal position, the commercial affairs of the Council or another body or sensitive information about individual members of staff). Exempt material in reports should be organised if possible into an appendix so that the rest of the report can be available to the press and public.

B. Decisions Referred Back to the Decision-Maker

1. If a decision is referred back to the original decision maker, that person or body shall then reconsider the matter, taking into account any concerns and recommendations of the Overview & Scrutiny Committee, and make a final decision, amending the decision or not, and give reasons for the decision.

2. If a decision relates to an executive function, only the Cabinet can ultimately decide the matter, provided that it is in accordance with the Council's budget and policy framework.