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Meeting Procedure for Call In

At this meeting, it is suggested that the following procedure be followed, at the discretion of the Chair:

1. The Statutory Scrutiny Officer will present the report to the Committee.

2. The Monitoring Officer/Proper Officer will present their report (attached as an appendix) and explain their reasons for validating the call in request.

3. A spokesperson for the Members who have requested the call in, will present and explain the reasons for calling in the decision and why they submit that it does not meet the decision making principles. The decision making principles are detailed at paragraph 1.35 of the Constitution.

4. The Cabinet Member(s) will present and explain why the decision making principles were complied with. On more technical or professional issues the Cabinet Member(s) may wish to call on Directors or specialist Officers to assist the Committee.

5. The Committee may ask questions and/or seek clarification on what has been presented. Also, with the permission of the Chair, a Member/Officer, who has been required to attend the meeting, may request clarification of any points.

6. The Committee may ask questions and/or seek clarification from Members, Officers and other interested parties who have been requested/required to attend the meeting.

7. The Committee will deliberate and come to a decision.

Executive Scrutiny Committee can take one of the following actions in response to a call in:

a) If the Committee considers that the decision was taken in accordance with decision making principles as set out in the constitution, it need take no further action and the decision will become effective immediately at the close of the meeting

OR

b) If the Committee makes a finding that the decision did not meet/comply with the decision-making principles, it may refer it back to Cabinet for reconsideration, providing a statement of the reasons for the referral. All Members who signed the call in petition will be invited to the relevant Cabinet meeting. The Cabinet's reconsideration of the matter, and subsequent decision, (i.e. whether to amend or retract the decision) will be final.

(Note: If the Committee, having taken appropriate advice, considers the decision is contrary to the Council's policy framework or approved budget/Medium Term Financial Plan, or is not within the Cabinet's remit or powers, it can refer the matter to Council.)