

7 - Protocol for the practical operation of call-in procedure

1. When a decision is made by the Executive (Cabinet), a Committee of the Executive or a key decision is made by an officer with delegated authority, that decision will be published within 2 days by the Cabinet Office.
2. It will be the responsibility of an officer taking a key decision to notify the Cabinet Office accordingly.
3. All Members will receive decisions electronically via e-mail and copies will also be placed in each Group Room.
4. The decision notice will bear the date on which it is published and the date on which the decision(s) may be implemented on the expiry of 5 working days after publication unless the decision is called-in.
5. The Chairman or any five Members of the relevant Scrutiny and Performance Panel may request the Chief Executive, in writing or by fax, using the attached form S&PP 1 through the Cabinet Office, requesting him/her to call-in a decision for scrutiny within 5 working days referred to in paragraph 4 above.
6. Five Members of the Council (not all being Members of the relevant Scrutiny and Performance Panel) may within 4 working days of the period, give notice to the Chief Executive, in writing or by fax, using the attached form S & PP2 through the Cabinet Office, requesting him/her to invite the Chairman of the relevant Scrutiny and Performance Panel to exercise the powers of call-in set out in the Constitution.
7. If the relevant Scrutiny and Performance Panel Chairman or Vice-Chairman cannot be contacted in person, or by telephone, by the end of the working day in which the request for call-in was received, communication shall be made by e-mail.
8. If the relevant Chairman of a Scrutiny and Performance Panel declines the request of the Chief Executive, the Chairman shall give reasons for that decision to the Members who made the request. In the absence of the Chairman, the Chief Executive shall consult the Vice-Chairman.

Amended September 2003

Section 5 – Constitution of the Council

9. If the relevant Scrutiny and Performance Panel Chairman exercises his/her power of call- in, the Chief Executive shall notify the relevant decision taker(s) of the call-in and after consultation with the Chairman shall call a meeting within 5 working days of the decision to call-in, such meeting to be held within 7 working days of it being called.

(Note: The call-in procedure set out above will not apply where the decision taken by the

Executive is deemed urgent and in need of immediate implementation. A decision will be deemed urgent only if it can be demonstrated to the Mayor, or in his absence the Deputy Mayor, that any delay would seriously prejudice the interests of the Council or the public generally.)

Amended September 2003

Guidance to Scrutiny and Performance Panels
“Call In” Meetings

The following is guidance to Scrutiny and Performance Panels with regard to the conduct of meetings where a decision of the Cabinet has been subject to call-in:

1. The agenda and papers for the meeting will be sent out in accordance with the statutory provisions i.e. 5 clear days before the meeting.
2. Any written representations received by the Council with regard to the decision called-in should be sent out to members of the panel with the agenda or as soon as they are received if the agenda has already been despatched.
3. At the outset of a call-in meeting the Chairman of a Scrutiny and Performance Panel should give a short presentation for the benefit of any interested parties in attendance outlining, in general terms, the role of the Panel in considering a call-in.
4. A period of time (*) should be allowed for any interested individual or organisation to make representations in the matter to the panel and for members of the panel to ask questions. Formal invitations to attend the meeting should be sent out to all known interested parties by Constitutional Services. All persons who wish to speak to the panel on the matter should be enabled to do so.
5. A period of time (*) should be allocated also to hear representations from the members who signed the call-in requested and for members of the Panel to ask questions. Formal invitations to attend the meeting should be sent to those members by Constitutional Services.
6. The Cabinet portfolio holder with responsibility for the matter called-in should then give a presentation to the panel and others present at the meeting on the considerations of the Cabinet in reaching its decision on the matter. He/she will also respond to the issues of questions raised by interested individuals or organisations at the start of the meeting. Members of the Panel should have the opportunity to question the portfolio holder.
7. The Panel should consider, debate and/or review the information presented to it and reach a conclusion on the matter, recording this on the pro-forma S & PP 3. The pro-forma should be completed by the Chairman. This is the formal response to Cabinet on the findings of the scrutiny process.
8. Cabinet receive this at a meeting to be held within a further 10 working days, at which they may consider any recommendations or conclusions unless the panel are in agreement with the Cabinet’s decision in which case the response will be reported to the next available meeting of Cabinet.

** Note: The time periods are to be determined by the Chairman at the meeting.*