

Appendix 6

10. CALL-IN – EXECUTIVE DECISIONS

(Note: Powers of call-in only apply to the exercise of executive functions. A non-executive decision cannot be the subject of a call-in).

- (i) All executive decisions (whether of the Cabinet, a Sub-Committee of the Cabinet, an Individual Cabinet Member, Area Committee or Joint Committee) shall be published, by the Chief Executive whenever practicable, within two working days of the decision being made and copies will be sent to all Members of the Overview and Scrutiny Committees.
- (ii) Notice of an executive decision made by Cabinet 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 five clear working days after the publication of the decision, unless any five Members of Overview and Scrutiny Committees, complete a “Call-in Requisition Form”, requiring that the decision be called in for scrutiny by the relevant Overview and Scrutiny Committee.
- (iii) Notice of an executive decision made by an Individual Cabinet Member 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 three clear working days after the publication of the decision, unless any five Members of Council, complete a “Call-in Requisition Form”, requiring that the decision be called in for scrutiny by the relevant Overview and Scrutiny Committee.
- (iv) In addition to being signed by five Members of Overview and Scrutiny Committees, the Call-in Requisition Form shall be countersigned by the Chairman, or in his absence, the Vice Chairman of the relevant Overview and Scrutiny Committee to indicate that he/she has been consulted on the subject matter of the call-in.
- (v) Any decision called in in accordance with these Rules shall be referred to the next meeting of the relevant Overview and Scrutiny Committee for consideration. Any decision requiring urgent implementation shall be identified as such by the Chief Executive or in his/her absence the Strategic Director of Corporate Services, or other officer nominated by either of them and notified in writing to the Chairman of the relevant Overview and Scrutiny Committee, (or in his/her absence the Vice Chairman), who may determine that the decision shall be called in for urgent scrutiny. In the event that the decision is not called in for urgent scrutiny it may be implemented after two clear working days from the date of the notification.
- (vi) In the event that the Chairman (or Vice Chairman in his absence) of a relevant Overview and Scrutiny Committee calls in a decision for urgent scrutiny, a meeting of the relevant Overview and Scrutiny Committee shall be called to take place as soon as possible **on** five clear working days of the date of the decision to call in.
- (vii) When considering a decision called in under the above Procedure Rules, an Overview and Scrutiny Committee may:
 - (a) recommend that a decision made but not implemented be reconsidered by the decision maker setting out in writing the reasons for its recommendations; or

- (b) refer the decision to the Full Council (but only where it considers that the decision is contrary to the policy framework or budget) for the Council to determine whether or not the decision should be reconsidered by the decision maker.
- (viii) In the event of an Overview and Scrutiny Committee referring an Executive Decision to the Council, the Council may:
 - (a) determine that the decision was contrary to the policy framework or budget and therefore a matter for the Council itself to determine, or
 - (b) determine that the decision was not contrary to the policy framework or budget and therefore a matter for the decision maker to determine. In this case the Council may either request the decision maker to reconsider the decision or determine to take no action.
- (ix) A decision may only be called in once under these Call-in Procedure Rules.