

Key Decision Required:	NO	In the Forward Plan:	NO
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CABINET

13 DECEMBER 2013

REFERENCE REPORT FROM THE SERVICE DEVELOPMENT AND DELIVERY SCRUTINY COMMITTEE OF 11 NOVEMBER 2013

A.2 PROPOSED MINOR REVIEW OF CALL-IN PROCEDURES

BACKGROUND

The Service Development and Delivery Committee, at its meeting held on 11 November 2013, considered a potential change to the Council's call-in procedures and agreed that these be forwarded to Cabinet to consider recommending to Council the necessary amendments to the Council's Constitution.

The Council's Overview and Scrutiny Procedure Rules set out the procedures to be adhered to when decisions are called-in and were set out in the report for the attention of Members.

At its meeting held on 7 October 2013, the Service Development and Delivery Committee considered, at the request of the Chairman (Councillor M Page), a minor review to the current procedures which aimed to introduce a period of mediation prior to the formalities connected with calling a formal meeting (this approach is used by Essex County Council and is understood to work well.)

Summary of Present Position

The Committee was advised as to how the current rules applied to call-in and the rights and roles of decision-makers, members who had called-in the decision and invited officers to attend a formal meeting of the appropriate overview and scrutiny committee.

An Alternative Approach

The Committee was advised of an alternative approach to accompany the proposed change, in an attempt to potentially avoid holding formal meetings to discuss matters which may be resolved outside of committee. Accordingly, it was suggested that once the callers-in, decision-takers and Chairman of the relevant overview and scrutiny committee had been advised of the call-in, that:

- a) Prior to the meeting of the Committee at which the call-in would have been heard and considered, the Chairman may, with the agreement of the members calling the decision in, arrange an informal meeting between him or her, the members calling in the decision and the decision-taker to discuss the issue, within five working days. (Where the call-in has been made by a member(s) who is not a member of the Committee, that member will also be invited to attend the informal meeting.)
- b) The Democratic Services Manager will attend the informal meeting and will, within 24 hours, produce a note for circulation to all parties to the meeting for approval by return. A copy of the approved note will be retained by the Democratic Services Manager, along with the request to call-in and, where the need to have a formal call-in meeting has been avoided, and the request to call-in is subsequently withdrawn, this be reported to Members on the agenda, for information, at the next meeting of

the Committee.

- c) Where the outcome of the informal meeting requires a formal call-in meeting to be held, the note referred to in b) shall accompany the report and associated papers to the agenda for the call-in meeting to show (and have recorded in the minutes) that an informal meeting had been held but that a decision to proceed to call-in had been reached.
- d) Where at the informal meeting stage assurances are given by, or agreements reached with decision-takers, then those assurances or agreements shall be reflected in the note referred to in b) and, once approved by the decision-takers, shall be circulated to all parties and for appropriate action by the Democratic Services Manager.
- e) If the call-in is not withdrawn as a result of the informal meeting, or an informal meeting is not held, it will be considered by the Committee. The Committee should meet within 15 clear working days of the notice of call-in. Wherever possible, scheduled meetings of the Committee will be used. Where this is not possible, the Democratic Services Manager will liaise with the parties concerned to arrange a special meeting.

COMMITTEE RECOMMENDATIONS / COMMENTS TO CABINET

Cabinet is now asked to consider the recommendations and comments of the Committee and determine its response if any:

The Committee **RECOMMENDS** to **CABINET** that the wording of the report as to the proposed minor review of the Council's current call-in procedures ((a) to (e) above)), be put forward for inclusion within the Council's Constitution as part of its ongoing review.

PORTFOLIO HOLDER'S COMMENTS / RECOMMENDATIONS TO CABINET

Comments will be provided directly at the meeting.