

SCRUTINY PROCEDURE RULES

Adopted on 7 April 2014
Amended on 17 May 2017

Scrutiny is a function of full Council which has the authority to call-in decisions of those Committees which have delegated powers.

1 CALL-IN

1.1 Circumstances in which call-in is to apply

Call-in should only be used in exceptional circumstances. These are where Members have evidence which suggests that the Committees with delegated powers did not take decisions in accordance with the principles set out in the Standing Orders of the Council.

1.2 Exclusion of certain decisions

Call-in will not apply to:

- a. decisions that have been implemented or
- b. decisions to which Scrutiny Procedure Rule 2 applies.

1.3 Limitation on exercise

In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are that:

- a. save in exceptional circumstances, the Council may only call-in four decisions per cycle of meetings; and
- b. where decisions involve expenditure or reductions in service only those over a value of £5,000 per annum may be called-in.

1.4 Procedure

The call-in procedure is as follows:-

- a. When a decision is made by a committee with delegated powers, the minutes and decision shall be available at the main offices of the Council normally within three working days of being made. Members of the Council will be sent copies of the minutes of all such decisions within the same timescale, by the Town Clerk.

- b. That notice 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 working days after the publication of the decision, unless the Council objects to it and calls it in.
- c. If during the period mentioned in paragraph (b) above, and subject to prior consultation with the Town Clerk, any five members of the Council may make a request in writing to the Town Clerk to call-in the decision referred to in the notification, he shall call-in a decision for scrutiny by Council. The Town Clerk shall then notify Members of the decision-making Committee of the call-in. The Town Clerk shall arrange for the decision to be included on the agenda of the next meeting of the Council.
- d. If, having considered the decision, Council is still concerned about it, then it may refer it back to the next meeting of the decision making Committee for reconsideration, setting out in writing the nature of its concerns or request a report on matter to the next meeting of the full Council.
- e. If the matter is referred by report to the next full Council, and the Council does not object to a decision that has been made, then no further action is necessary and the decision will be effective in accordance with the provisions below. However, if the Council does object, the Council may substitute its own decision for that of the relevant Committee.
- f. If the Scrutiny Committee refers the decision to the decision-making committee, the decision-making committee shall reconsider the decision in light of the concerns mentioned by the Scrutiny Committee. The decision-making committee may then:
 - (i) revise the decision so that it addresses the Scrutiny Committee's concerns; or
 - (ii) affirm the decision.

2 CALL-IN AND URGENCY

2.1 Call-in not to apply to urgent decisions

- a. The call-in procedure set out above shall not apply where the decision being taken by a Committee with delegated powers is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest. The record of the decision, and notice by which it is made public shall state whether in the opinion of the Town Clerk or his/her nominee, the decision is an urgent one, and therefore not subject to call-in. Decisions taken as a matter of urgency must be reported in the Weekly Bulletin together with the reasons for urgency and where the decision is a Key Decision reported to the next available meeting of the Council, in accordance with the Access to Information Procedure Rules.

- b. The operation of the provisions relating to call-in and urgency shall be monitored annually by the Town Clerk or his/her nominee, and a report submitted to Council with proposals for review if necessary.

3 COUNCILLOR CALL FOR ACTION

Any member shall be entitled to refer to Council any local government matter which is relevant to the functions of the Council (Councillor Call for Action). For these purposes “local government matter” means a matter which:

- a. relates to the discharge of any function of the Council;
 - b. affects all or part of the electoral area for which the Member is elected or any person who lives or works in that area; and
 - c. is not an excluded matter. An “excluded matter” means any matter which is a local crime and disorder matter within the meaning of section 19 of the Police and Justice Act 2006 or a matter of any description specified in an order made by the Secretary of State.
- 3.1 For the purposes of Scrutiny Procedure Rule 3, a Member shall give notice to the Town Clerk who shall ensure that the matter is included on the agenda for the next available meeting of the Council if it is received not later than ten working days prior to that meeting. This does not, however, give any rights to an individual Member to commission reports. The Member raising the call for action will have the right to address the meeting to explain their reasons for the call for action.
- 3.2 If the Council decides not to exercise any of its powers in relation to a matter referred to it under Scrutiny Procedure Rule 3, it must notify the Member of its decision and the reasons for it.
- 3.3 If the Council decides to exercise its powers in relation to a matter referred to it under Scrutiny Procedure Rule 3, then the Council will provide the Councillor with a copy of any report or recommendations which it makes to the Council or to a Committee in relation to the matter.