

Report of	Meeting	Date
Chief Executive	Overview and Scrutiny Committee	9 January 2014

## CALL-IN PROCEDURES

### PURPOSE OF REPORT

- To propose some changes to the call in process for Executive Decisions.

### RECOMMENDATION(S)

- That two key changes be made to the call in process:
  - The call in period after a decision has been made be reduced from 10 days to 5 days in order to speed up the implementation of decisions across the Council.
  - That the procedure be revised so that on receipt of a call in request, a Special meeting of the full Overview and Scrutiny Committee be called
- That the procedural issues in paragraph 12 of the report be incorporated into the call in process and the revised call in process be referred to Council for approval as a change to the Council's Constitution.

<b>Confidential report</b> Please bold as appropriate	Yes	No
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### CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	/

### BACKGROUND

- On 10 October 2013 the Overview and Scrutiny Committee agreed that a small number of councillors should undertake a mini review of the call in process and report back to the Committee with their recommendations. This was as a result of Overview and Scrutiny Committee having considered a small number of call in requests over the last 12 to 18 months.
- Whilst not a significant number, how these requests were dealt with prompted a procedural review. The current procedure states that any requests accepted by the Chair of the Overview and Scrutiny Committee as valid (ie within the scope of call in and not defamatory

or frivolous) should be considered, where practicable, at the next Overview and Scrutiny Committee.

7. Experience at a call in considered on 22 January 2013 reviewing the Astley Hall Coach House decision showed that considering a call in request as part of a longer agenda for Overview and Scrutiny Committee makes the meeting too long and does not allow full consideration of all items. The item did however generate public engagement and enabled an open and transparent debate on all the issues, with participation from all interested parties, and this was welcomed.

## **REVIEWING ELEMENTS OF THE CALL IN PROCESS**

8. The Chair and Vice Chair of the Committee plus Councillors Keith Iddon and Roy Lees met on 30 October to consider the present arrangements and to assess alternative options available to them. The Task Group formed the opinion that it would be prudent to consider a full review of the current call-in procedures and process and also considered comparative information from other Lancashire wide authorities.

### **Number of days permitted for a call in**

9. Comparative information showed a vast difference in the time allowed for a call-in request, with some authorities allowing as little as three working days. Present arrangements at Chorley allows for a ten day call-in period, from the date of the decision being published. This means all executive decisions must wait 10 days before they can be implemented with any called in decisions taking at least a further two weeks. To enable decisions to be implemented more quickly, improving the overall efficiency of the authority, Members recommended that the call in period at Chorley Council be reduced to five working days.

### **Who can call in a decision?**

10. The Council also stands out with regard to who can call a decision in. Most other authorities only allowed its own Elected Members to request a call-in. Chorley are the only authority in Lancashire to also allow any resident of the borough, Chair or Secretary of a voluntary group with an interest in the borough, or proprietor or director of a local business, situated in the borough, to request a call in. However, in the interests of being accountable to the people of Chorley and conducting the business of the Council in an open and transparent way, the Task Group still regarded these arrangements to be suitable and recommended that they continue.

### **How many people should sign a call in?**

11. In addition many authorities ask for 3, 5 or even 10 councillors to sign a call in before it can be submitted. In Chorley it only requires one signature and it was felt this should remain in place.

### **A dedicated meeting for call in requests – or part of the Committee agenda**

12. The Task Group considered it important to allow public participation in the scrutiny process and had been pleased to see the number of public that had attended the Overview and Scrutiny Committee in January to consider a decision relating to Astley Hall Coach House. However this had resulted in a longer meeting than had originally been anticipated with some agenda items not being fully debated. To maintain a healthy balance of public involvement and time for reasonable debate and decision, the Members thought that it would be better to convene a special meeting of the full Overview and Scrutiny Committee if a request for a call-in was received and deemed valid by the Chair of the Committee.

### **Clarifying procedure**

13. Procedurally, it was confirmed by the group that the following points should be included for clarification:

- “Days” refers to working days.
- After the Chair has agreed a call in as valid, notice of a full meeting of Overview and Scrutiny Committee should be given within 5 days.
- The person submitting the call in (whether councillor or public) should present their request/case at the meeting.
- Meetings will normally be in public (unless the item is a confidential one) and the public can submit questions on notice, as with other meetings.
- If the Councillor requesting the call in, is a member of the Overview and Scrutiny Committee hearing the call in, he/she will present the item but should not take part in the vote on that item.
- If the Committee asks the Executive Cabinet or Executive Member to reconsider the issue as a result of a call in, the subsequent decision of the Executive Cabinet or Executive Member should be reported back to Overview and Scrutiny Committee.

## IMPLICATIONS OF REPORT

14. This report has implications in the following areas and the relevant Directors’ comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	/	Integrated Impact Assessment required?	
No significant implications in this area		Policy and Communications	

## COMMENTS OF THE STATUTORY FINANCE OFFICER

15. There are no financial implications.

## COMMENTS OF THE MONITORING OFFICER

16. The changes proposed remain within the statutory requirements.

**GARY HALL**  
**CHIEF EXECUTIVE**

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Dianne Scambler/Carol Russell	5034/5196	17 December 2013	***