

**Annex Form 1  
Executive Decision 'Call-in' Request**



**EXECUTIVE DECISION 'CALL-IN' REQUEST**

I wish to register a request for the following Executive decision to be called in for reconsideration prior to implementation. My objection to the decision and alternative decision/proposal are set out below.

Decision Ref No: \_\_\_\_\_

Decision Title: \_\_\_\_\_

I am (please tick appropriate box)

- Chorley Borough Councillor   
  the Chair or Secretary of a voluntary group with an interest in the Borough   
  a proprietor or director of a local business situated in the Borough  
 a resident of the Borough

**The Objection and Alternative Decision/Proposal**  
continue on a separate sheet if necessary (500 words maximum)

The Objection is:

The alternative decision/proposal is:

The case for the alternative is:

Name: (please print)	Signature:	Date:
Address:	Daytime Tel No:	
	Fax No:	
	E-mail:	



**Please complete and return this form to the Head of Administrative Services, Town Hall, Chorley PR7 1DP. Alternatively you may fax the form on 01257 515150. Should you have any queries about completing the form please telephone 01257 515122, 515123 or 515118.**

Call-in Request:      Accepted       Rejected

Reason for Rejection: .....

Signed .....  
(Chair of Overview and Scrutiny Committee)

Date: .....

### Guidance Notes

1. Requests can be made by members of the local community and Borough Councillors under the Council's 'call-in' procedure for executive decisions that have not been implemented to be reconsidered by the person or body who made them. The Council's Overview and Scrutiny Toolkit and Constitution provide more information on what constitutes an executive decision. Both are available on the Council's Website [www.chorley.gov.uk](http://www.chorley.gov.uk). Alternatively further guidance can be sought from the contacts given above.
2. Call-in requests must be made in writing received by the Head of Administrative Services at the address given overleaf within 5 working days of the relevant decision being published. All requests must state the decision reference number, title, the reasons for the objection to the decision and present an alternative decision or proposal for consideration.
3. All requests for call-in are considered initially by the Chair of the Overview and Scrutiny Committee (OSC) who will reject any considered to be frivolous, defamatory, incomplete or otherwise outside the scope of the call-in procedure or inappropriate for consideration. Call-in requests accepted by the OSC Chair will, where practicable (having regard to when the decision is likely to be implemented), be submitted to the next meeting of the Overview and Scrutiny Committee (provided they are received before the meeting agenda has closed). If it is not practicable for consideration of a call-in request to wait until the next OSC meeting, the Chair with the agreement of 3 other members of the OSC may decide to call-in the decision.
4. Where a decision is referred back to the original decision-maker no steps shall then be taken to implement the decision until it has been reconsidered by the body or person who made it. If a decision is referred to Council, the Council will decide at its next meeting whether to review or scrutinise the decision and if so, when and how. But there is no obligation in that event to postpone any implementation of the decision. If the Council does decide to review or scrutinise the decision, the Council will only have power to express views or make recommendations to the body or person who made it, unless it was not in accordance with the Policy Framework or was contrary to or not wholly consistent with the Budget.
5. The OSC may itself decide within 2 months of a decision being made to review and scrutinise it and formulate views or recommendations for consideration by the Cabinet and or the body or person who made the decision. Those views or recommendations must then be considered within three months.
6. Where the OSC refers a decision back, the decision-maker is under an obligation to reconsider the original decision in the light of the representations made. There is no requirement however, to change the decision. Following such reconsideration, the decision, with or without modification, may be implemented and it cannot be called-in again.
7. Call-in requests will be acknowledged within 5 working days of receipt. Decisions regarding the request will be notified to the originator of the call-in request by the Head of Administrative Services within 5 working days of the decision being taken.



## **8. REVIEW OF EXECUTIVE DECISIONS**

### **8.1 When:**

- (a) a decision has been made but not implemented by the Executive Cabinet, or an individual member of the Executive Cabinet; or
- (b) a decision has been made but not implemented by an officer with delegated authority from the Executive Cabinet
  - i) Members of the Council may within ten working days of the decision being made and in accordance with the call-in procedure set out in Annexe Form 1 of the Overview and Scrutiny Toolkit request the Overview and Scrutiny Committee to recommend that the decision be reconsidered by the person or body who made it; or
  - ii) determine to arrange for the decision to be reviewed or scrutinised by the Council.

If no ordinary or additional meeting of the Committee is held within five days of the decision, the power conferred on the Committee under this Rule may be exercised by means of a written resolution signed by the Chair of the Committee and three of its other members delivered to the Chief Executive within the requisite five working days. The resolution may be contained in a single document, signed by all the members concerned, or in several documents in identical form, each signed by one or more members.

- 8.2 Subject to Rule 8.4, if the Committee recommends that the decision be reconsidered by the person or body who made it, that person or body shall do so as soon as practicable and, pending that reconsideration, no steps shall be taken to implement the decision.
- 8.3 Any person or body who reconsiders a decision may rescind, amend or re-affirm it, as they think fit, and whatever decision is taken on the reconsideration shall itself not be subject to the power of review conferred by Rule 8.1.
- 8.4 Rule 8.2 shall not apply if within two working days of being notified of the decision of the Overview and Scrutiny Committee the Chief Executive certifies in writing that the reconsideration of the decision by the person or body who made it would in his or her opinion seriously prejudice the interests of the Council, the public or some other person or body.
- 8.5 If as provided in Rule 8.1 the Committee decides to arrange for the decision to be reviewed or scrutinised by the Council, the Council shall determine at its next meeting whether it will review or scrutinise the decision and, if so, when and how. But there shall be no obligation to postpone any implementation of the decision.
- 8.6 If the Council does decide to review or scrutinise the decision, the Council will only have power to express views or make recommendations to the body or person who made it unless it was not in accordance with the Policy Framework or was contrary to or not wholly consistent with the Budget.

- 8.7 In addition to the power conferred by Rule 8.1, the Committee may itself, at any time within 2 months of a decision within the purview of that Rule being made, review and scrutinise that decision and formulate views or recommendations for consideration by the Executive and/or the body or person who made it. It shall then be the duty of the Executive or the body or person to consider those views or recommendations within three months.
  
- 8.8 For the purpose of assisting Members and informing members of the public about Overview and Scrutiny, the Overview and Scrutiny Committee may prepare and publish and subsequently amend or replace an administrative guidance document on the procedures whereby it will exercise its powers under Article 6 of the Constitution those procedures are to operate within the framework of these Overview and Scrutiny Procedure Rules and may include procedures whereby members of the public may request the committee to recommend that an executive decision be reconsidered by the body or person who made it.