

Supplement to the agenda for

General scrutiny committee

Friday 1 December 2017

10.30 am

**Council Chamber, The Shire Hall, St Peter's Square, Hereford,
HR1 2HX**

Supplement 2 – Procedure to be followed at the meeting

Pages

7. CALL-IN OF CABINET MEMBER DECISION IN RESPECT OF CHARITY SHOP WASTE DISPOSAL	3 - 4
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General scrutiny committee: Protocol for call-in meeting – 1 December 2017

Charity Shop Waste Disposal

Purpose:

The call-in meeting gives scrutiny members a chance to test the merits of a decision taken by the cabinet, a cabinet member or an officer with delegated authority. Having considered the decision in light of the grounds and evidence for the call in, if the relevant scrutiny committee is still concerned about it, then it may refer the decision back to the decision-maker for reconsideration, setting out in writing the nature of its concerns.

Meeting procedure for called-in items:

It is the responsibility of the chairman to manage the meeting and the timings below are given for guidance. The questioning and debate should focus only on the grounds stated in the call-in rather than be a wider exploration of the decision taken.

Meeting Itinerary		
1.	The chair explains the purpose of the item, i.e. to review the decision that has been called-in in light of the stated grounds for call-in	
2.	The chairman will outline the meeting procedure	
3.	The decision-maker provides a brief summary of the decision taken	3 mins
4.	The call-in members present the reasons for the call-in that have been accepted as valid by the Monitoring Officer as set out in appendix a. The lead call-in member may speak b. the remaining six call-in members may contribute to the lead call-in member's presentation	
		5 mins
		3 mins
5.	The decision-maker (cabinet member) responds to all points raised, focussing principally on responding to points of accuracy and may ask relevant officers present to explain any technical issues or respond to specific questions.	10 mins
6.	Questions from committee members	30 mins
7.	The decision-maker may sum up	5 mins
8.	The lead call-in member may sum-up	5 Mins
9.	Scrutiny members may then consider the decision in light of the grounds and evidence for call-in and vote on recommendations: That: (a) the committee considers the evidence put forward was: i inadequate evidence on which to base a decision and that not all relevant matters were fully taken into account; and ii. the decision is disproportionate to the desired outcome;	
10.	If the committee passes recommendation a (i) and (ii) the chairman will ask if in light of their decision the committee wishes to refer the decision back to the decision-maker for reconsideration.	
11.	Scrutiny members may then consider and vote on recommendation b: (b) in light of the evidence put forward, determine any recommendations it wishes to make to the cabinet member.	

	Any committee member may propose a recommendation which, if seconded, will be voted on by the scrutiny committee – there can be debate prior to voting unless the chairman feels that all arguments have been exhausted. Amendments can also be made.
12.	At the close of the meeting the chairman summarises any recommendations agreed by the committee for the clarification of all present.

Possible outcomes:

Having considered the reasons for call in and the decision-maker’s response to any questions, the committee may agree to:

- Make no recommendations (in which case the decision will stand and may be implemented with immediate effect); or
- The decision maker shall reconsider any decision referred to them following call-in, take into account any views expressed by the relevant scrutiny committee and may either amend or confirm the original decision or require further specified work to be undertaken before making a final determination.
- If it is alleged that the decision appears to be contrary to or not in accordance with the budget and policy framework, the monitoring officer shall advise the cabinet on that or any other relevant legal issues raised by or in relation to the called in decision. The cabinet shall consider that advice and shall reconsider its decision. If the matter is outside the budget and policy framework the monitoring officer shall refer the matter to the next Council meeting for consideration or convene an extraordinary meeting of Council whichever may be sooner and in any event within ten working days of the meeting of cabinet, executive, director of resources and monitoring officer) who may refer the matter to Council.