

## Protocol for Call-in

Item	Guidance Description	Notes
1.	Chair to seek a proposer and a seconder for agreement of the attached Call-in protocol. Committee members to vote on the proposed protocol.	
2.	<p>Chair to introduce the Call-in and the Committee to agree the scope of the Call-in based on the points made in the Call-in Notice:</p> <p>I believe the paper that was presented to Cabinet on Monday, BCa/21/38 did not contain sufficient information on the capital costs of the works proposed for cabinet to make an informed decision.</p> <p>6.7 of the report states:</p> <p><i>The total costs per Council would be £250,000 and the total net saving per Council would be £338,00.</i></p> <p>The later calculation has been explained, the former is referred to in the following point (6.8 in the report).</p> <p><i>The Capital costs are estimated and will be refined during the Technical Design Stage of the project.</i></p> <p>This is the only reference made in the paper with no breakdown on how £250,000 will be spent. This is compounded by the fact that this is just a share of the overall costs as its split across both councils.</p> <p>At the Cabinet on 7 Feb which I attended and watched on You Tube I noted that no Cabinet Member asked questions on costs or debated these elements of the issue.</p> <p>My contention is that the cabinet approved the paper on a reduction to the floor plate but neglected to consider the expenditure. There should be an opportunity to examine, debate and vote on the capital costs once these details are available. This is a key decision as proposed expenditure is over £150,000. To fully comply with our constitution councillors must fully consider all the circumstances (see extract below from the notice displayed on forthcoming decisions list) – this has not happened.</p>	

	<p>A key decision (as per Part 1, 12.9.1 in the Constitution) is an Executive decision which is likely to:</p> <ol style="list-style-type: none"> <li>1. Result in the Council spending, or saving a significant amount compared with the Budget for the service or function the decision relates to</li> <li>2. Have a “significant” effect on communities living or working in an area made up of two or more wards</li> </ol> <p>When assessing whether or not a decision is a key decision Councillors must consider all the circumstances of the case. However, a decision which results in a significant amount spent or saved will generally be considered to be a key decision if:</p> <ol style="list-style-type: none"> <li>1. The amount spent is £150,000 or more of revenue or capital expenditure</li> </ol> <p>Expenditure on this scale must not be delegated.</p>	
3.	<p>Once the scope has been agreed <b>the Lead Signatory</b> will present the reason for the Call-in and why the Committee should scrutinise the decision, this will be up to a maximum of <b>10 minutes</b> which the clerk will time. (The Lead Signatory may choose to call other councillors from those listed on the Call-In notice, but the maximum amount of time will remain ten minutes collectively)</p>	
4.	<p>The Chair will then ask the <b>Cabinet Member (s)</b> to present the reason (s) why the decision was taken by Cabinet (this will be no greater than <b>10 minutes</b>)</p>	
4.1	<p>The Chair to invite <b>Committee Members</b> to ask questions of the Lead Signatory and the Cabinet Member(s) for further information.</p>	
4.2.	<p>The Chair to invite <b>Committee Members</b> to ask questions of officers and other Members of Cabinet (if present)</p>	
4.3.	<p>The Chair to invite <b>Committee Members</b> to ask further question in light of new information provided.</p>	
4.4	<p>The Chair to invite the <b>Cabinet Member(s)</b> followed by the Lead Signatory to provide a summary of the respective cases (Allowing each summary 5 minutes)</p>	
4.5	<p><b>Members of the Cabinet and Lead Signatory to leave the meeting.</b></p>	

<b>4.6</b>	<p>The Committee will then be asked to debate the issue and take one of the following courses of action: -</p> <p>(1) Refer the matter back to the Cabinet for reconsideration, together with the observations of the Overview and Scrutiny Committee. Cabinet will then take a final decision and that decision cannot be called in.</p> <p>(2) Seek the advice of the Monitoring Officer as to whether the decision is contrary to, or not wholly in accordance with the policy framework or the budget and if applicable refer the matter to full Council for a final decision.</p> <p>(3) That the decision be upheld and implemented immediately.</p> <p>In each case setting out in writing the nature of its concern.</p>	
<b>4.7</b>	<p>There will be a vote given the reason for the Overview and Scrutiny Committee's decision (if the Cabinet Members have indicated that they are prepared to take the matter back to the Committee that will be noted and referred to together with the reason)</p>	
<b>4.8</b>	<p>The Chair of the Overview and Scrutiny Committee will have the discretion to operate the above process flexibly where it is considered that changes would be conducive to the effective performance of the Scrutiny role.</p>	
<b>4.9</b>	<p>Any motion must be proposed and seconded and only one motion can be debated at a time. When the debate has finished the motion will be put to the vote.</p>	
<b>4.10</b>	<p>Individual Councillors can ask for their own vote to be recorded and this will be noted by the Clerk. If Committee request a recorded vote this will need to be proposed and seconded and supported by up to three or more councillors.</p>	
<b>5.</b>	<p>Once motions have been agreed the meeting will close.</p>	