

REPORT OF THE
Policy & Resources Select Committee
PART I

321. POLICY AND RESOURCES SELECT COMMITTEE CONSIDERATION OF MOTION REGARDING THE CALL-IN PROCEDURE

1. At its meeting on 20 September 2012 the County Council considered a Notice of Motion (“Motion”), submitted by Councillor Tim Knight and seconded by Councillor Ian Beagley, regarding a proposed amendment to the call-in procedure to prevent all non urgent decisions from being implemented prior to expiry of the call-in period.

2. Following submission of the Motion, the County Council resolved to refer the Motion to the Policy & Resources Select Committee (“the P&R Committee”) for consideration and report back to the County Council.

3. The Motion was considered by the P&R Committee on 25 October 2012 in accordance with the resolution of the County Council.

4. In considering the Motion the P&R Committee were mindful that the Motion as drafted did not distinguish between Executive decisions in line with the budget and policy framework, and other Executive decisions. The Monitoring Officer advised that currently whilst all Executive decisions save for urgent key decisions can be called-in, where a decision is within the budget and policy framework approved by full Council, call-in does not prevent the decision being implemented. The Monitoring Officer further advised that the current wording in the Constitution in respect of decisions in line with the budget and policy framework was in accordance with Statutory Guidance, to which the County Council was required to have regard.

5. The P&R Committee were also mindful that should there be any change to the Constitution in the case of call-in that any change should not unreasonably hinder the efficiency and transaction of the business of the County Council, and that there may be decisions which whilst not falling within the urgency provisions may need to be implemented without delay for good business reasons. An example of this could be a procurement exercise where the County Council is intending to enter into contractual arrangements which might be prejudiced by delay.

6. The P&R Committee were also aware that a Members Working Group – Review of Governance Models (“Working Group”) had been formed earlier in the year to consider the County Council’s future governance arrangements which might impact on the County Council’s Constitution. The P&R Committee were therefore of the view that the most sensible route was for the Working Group to consider the proposal contained within the Motion regarding amendment of the call-in procedure as part of their overall work.

RECOMMENDATION

That the County Council:

- (a) accepts the recommendation of the P&R Select Committee that the proposal contained within the Motion regarding amendment of the call-in procedure be considered by the Members Working Group – Review of Governance Models as part of their overall work
- (b) that in the meantime and pending the outcome of the review of existing call-in procedures the Executive be requested to transact their business in the spirit of openness and accountability and seek to avoid implementing non-urgent decisions during the call-in period unless there is a clear business need to do so.