

Meeting Procedure for a Call-in of a Council Cabinet Decision

The role of the Chair

1. This procedure shall be implemented at the meeting by the Chair and any deviation from this procedure will be at the discretion of the Chair. The Chair will advise attendees at a Call-in meeting of any reasonable intention to deviate from the procedure at the start of the meeting where possible.
2. In the absence of the Chair, the meeting will be led by the Vice-Chair. In the absence of both, the Monitoring Officer or their representative shall facilitate a vote of Members so that a Chair shall be appointed. The appointed Member will chair for the duration of the meeting or until the Chair or Vice-Chair is present.
3. Where the Chair is in attendance, the Vice-Chair shall be treated in the same way as every other Member of the Board.

Role of signatories to the Call-in notice and the Council Cabinet member

4. Signatories to the Call-in notice and the Council Cabinet Member will be invited to provide evidence to the Board, both in terms of a presentation and by answering questions put to them by the Board.
5. There is no provision for either the signatories to the Call-in or the Cabinet Member to question each other, either directly or through the Chair.

Role of officers in attendance

6. Supporting Officers will be present from Constitutional Services (providing procedural advice to the Chair and Board as required and recording decisions) and Overview and Scrutiny (advising the Chair and the board as required on relevant scrutiny of the decision under consideration). The Monitoring Officer or their representative may also be present and may undertake any of these duties in addition to providing any legal advice if required.
7. Chief Officers, Directors or Heads of Service may provide support to the Council Cabinet Member and contribute to the meeting as required by advising the Board on the strategic, technical or operational basis of decisions taken or considerations given relevant to the Call-in, or by responding to questions referred by the Council Cabinet Member to them.

Procedure at the meeting

8. The signatories to the Call-in notice will be invited to address the Board on the Call-in, and will be required to focus on justifying why they considered the Council's decision-making principles to have been breached as raised in the signed Call-in Notice lodged with the Monitoring Officer. The order in which signatories are invited to speak will be at the discretion of the Chair. Signatories shall limit their contributions to the reasons for the call-in.
9. After all signatories have made their contributions, members of the Board will be invited to put questions to the signatories and receive responses to those questions.
10. The Council Cabinet Member will then be invited to address the Board on the Call-in by the Chair, and will be required to respond to the assertions relating to the Council's decision-making principles as set out in the Call-in notice.
11. After the Council Cabinet Member has made their contribution, members of the Board will be invited to put questions to the Council Cabinet Member. The Council Cabinet Member shall be entitled to refer questions put to them to the Officers supporting them.
12. One nominated signatory shall be invited to make a further statement to the Board, lasting no more than five minutes, summarising the signatories' case and responding to any further points raised by the Council Cabinet Member at Points 9 and 10.
13. The Council Cabinet Member shall be invited to make a further statement to the Board, lasting no more than five minutes, responding to the Call-in Notice and any points raised by the nominated signatory at Point 11.
14. There shall be no further contributions from signatories to the Call-in notice, the Council Cabinet Member or Officers attending in support of the Council Cabinet Member.

Contributions by members of the board

15. The Chair shall invite members of the Board to make any contributions they may wish prior to the vote being taken. Each member of the Board shall be permitted to make one speech lasting no more than five minutes.

Voting on whether decision-making principles have or have not been breached

16. The Chair shall then ask each Member in turn to state whether they consider the decision-making principles identified in the Call-in Notice were, or, were not, breached giving reasons. Where a Member considers that a principle has been breached, they will be required, at this stage, to state which principles they consider to have been breached. This information shall be recorded by the Monitoring Officer or their representatives.

17. The Chair may, at their discretion, state whether they believe the decision-making principles identified in the Call-in Notice were or were not breached, giving reasons.

Finding of no breach

18. In the event that a majority of Members consider that there was not a breach, the Chair will state that the Board has resolved that the Council Cabinet decision identified in the Call-in Notice did not breach the decision-making principles and close the meeting.

Finding of a breach

19. In the event that a majority of Members consider that there was a breach in the decision making procedure, the Chair will invite the Monitoring Officer or their representative to address the Board. The Monitoring Officer or their representative will state which decision making principles were individually identified by Board members as having been breached, and which of those principles were identified by a majority of Members present as having been breached.

20. The Chair will declare the outcome of the vote and the resultant resolution and close the meeting referring the decision back to the next meeting of the Council Cabinet.

Consideration of multiple Call-in notices in relation to one decision of Council Cabinet

21. In the event that more than one Call-in notice is received in relation to a single matter, the Chair will use their discretion to vary the procedure accordingly to afford signatories to all Call-in notices equal opportunity to state their case.