

WIRRAL COUNCIL

SCRUTINY PROGRAMME BOARD

THURSDAY, 8 SEPTEMBER 2011

SUBJECT:	OPTIONS FOR STREAMLINING THE SCRUTINY CALL-IN PROCESS
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
RESPONSIBLE PORTFOLIO HOLDER: LEADER (FINANCE AND BEST VALUE)	COUNCILLOR STEVE FOULKES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The Local Government Act 2000 requires Councils to have a mechanism to ensure that an Executive decision, (which is one taken by the Cabinet, Committee of the Cabinet or individual Cabinet Member other than one referred to the Council or which is certified urgent by a unanimous decision of the Cabinet) can be reconsidered before it is implemented. This is commonly referred to as “calling-in” a decision.
- 1.2 Once such a decision is taken and notified to all Members of the Council (by electronic and/or other means) any Leader or Deputy Leader of a Political Group or any five Members of the Council may by written notice submitted to the Director of Law, HR and Asset Management within five working days of such notification require that the decision be not implemented and be referred to the relevant themed Overview and Scrutiny Committees for scrutiny within a further fifteen working days from receipt of the notice. Any notice received must specify the decision in question, the reason for call-in and be signed by the Members concerned.
- 1.3 In the first instance the Scrutiny Programme Board must meet to decide which Overview and Scrutiny will consider the call-in. It is entirely a matter for the Board whether it chooses to consider the call-in itself, or refers it to one or more of the Overview and Scrutiny Committees.
- 1.4 At its meeting on 9 June 2011 the Scrutiny Programme Board had considered its Terms of Reference which are contained within Part 2, Article 6 of the Council’s Constitution. This action was taken because the Board’s membership had changed significantly from that of the previous Municipal Year and those Members who were new to it, needed to be aware of exactly what falls within the Board’s remit. The Board, in particular, had regard to the current

arrangements in place for determining which Overview and Scrutiny Committee will consider an Executive decision which has been called-in and raised concerns that it was cumbersome, costly and unnecessary duplication. This could be avoided if one of the options listed below was adopted instead.

1.5 Following discussion on this matter it was resolved:

‘That the Director of Law, HR and Asset Management be requested to present a report to the next meeting upon possible options available on how best to streamline the call-in process, including the use of any available electronic processes.’

(Minute No. 4 refers.)

2.0 RECOMMENDATIONS:

That the Scrutiny Programme Board has regard to the possible options for allocating an Overview and Scrutiny Committee to give consideration to Executive decisions that are called in as detailed in paragraphs 6.0 – 6.4 to of this report and make whatever recommendations it considers appropriate to revise the call-in process to make it less unwieldy.

3.0 REASON/S FOR RECOMMENDATION/S

3.1 To attempt to make the Scrutiny Call-in process more efficient and cost effective and to ensure scrutiny call-ins are considered as quickly as possible.

4.0 CALL- INS RECEIVED IN THE LAST THREE MUNICIPAL YEARS

2008/09	2009/10	2010/11
4	2 (1 was later withdrawn)	5

5.0 WHEN A CALL- IN IS RECEIVED

5.1 When the call-in notice is received the Chief Executive (or the Director of Law, HR and Asset Management on his behalf) will determine whether a call has been received within the prescribed period and is signed by the required number of Members. If the call-in is valid, the Democratic Services Manager will inform the Chair of the relevant Overview and Scrutiny Committee, the Leader and relevant Cabinet Member(s) and the Lead Officer. The Democratic Services Manager will make arrangements to ensure the decision is not implemented pending determination of the call-in.

6.0 POSSIBLE OPTIONS THAT COULD BE PUT IN HAND TO DETERMINE WHO WILL CONSIDER FUTURE CALL-INS

6.1 A Call-in Committee could be established with Terms of Reference to consider all Call-ins received.

6.2 The Scrutiny Programme Board’s Terms of Reference could be amended so that it can deal with all call-in notices without referring them to any of the Overview and Scrutiny Committees with Members of the relevant Committee(s) being able to make representations.

- 6.3 The Chief Executive (or the Director of Law, HR and Asset Management on his behalf) in consultation with the Chair of the Scrutiny Programme Board could allocate the call-in notice to the appropriate Overview and Scrutiny Committee or to the Board itself, for consideration.

7.0 Other North West Council's Arrangements

- 7.1 Attached as Appendix A to this report is a table detailing the practice adopted by each Merseyside and Cheshire Local Authority in respect of the allocation of call-in, for Members' information.

8.0 RELEVANT RISKS

- 8.1 The report sets out options for streamlining the Council's Scrutiny call-in process. If one of the proposed options is adopted it will result in savings as less Committee meetings will be required. Not to adopt one of the options means the Council runs the risk of an increase in Committee meetings being held to consider call-ins which has increased resource implications for Democratic Services.

9.0 OTHER OPTIONS CONSIDERED

- 9.1 There are no other options to consider at this time.

10.0 CONSULTATION

- 10.1 This report is consulting Members on the options available to streamline the Scrutiny call-in process and as a result, save money.

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 11.1 There are no opportunities to involve voluntary, community and faith organisations.

12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 12.1 Less Overview and Scrutiny Committee meetings will result in savings.

13.0 LEGAL IMPLICATIONS

- 13.1 None

14.0 EQUALITIES IMPLICATIONS

- 14.1 None

- 14.2 Equality Impact Assessment (EIA)

(a) Is an EIA required? No

(b) If 'yes', has one been completed?

15.0 CARBON REDUCTION IMPLICATIONS

- 15.1 A reduction in Overview and Scrutiny Committee meetings will result in a reduction in Carbon emissions.

16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

16.1 No

REPORT AUTHOR: **Shirley Huudspeth**
Democratic Services Manager
telephone: (0151 6918559)
email: shirleyhudspeth@wirral.gov.uk

APPENDICES

None

REFERENCE MATERIAL

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Scrutiny Programme Board	9 June 2011