



## DECISION REVIEW COMMITTEE

29 July 2021

REPORT TITLE:	DECISION REVIEW COMMITTEE OVERVIEW
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

### OVERVIEW

A key role of overview and scrutiny is to both to hold others to account and be able to have a decision challenged and reviewed with an independent mind. In this respect the statutory power to review a decision made but not yet implemented, triggered by Members of the Council in certain circumstances, is conducted by the Decision-Review Committee

Key decisions made by one of the Policy and Services Committees, or an officer acting under delegated authority from one of those committees, are published within a decision notice, normally within a period of two working days after the relevant meeting.

Unless the relevant decision-making body has stated that the decision is not suitable for review, the decision will not be implemented for a period of three working days from the date of publication, during which time any six (6) Members of the Council may call-in the decision for review.

As long as there is a clear reason given that, in the opinion of the Chief Executive reasonably falls within the criteria set out at paragraph 8 below, the decision should then be referred to a meeting of the Decision Review Committee for review, together with a statement of the reasons for the review request.

Implementation of the decision shall be held in abeyance pending the conclusion of the process.

### Terms of reference

The Decision Review Committee is a committee established by the Council with powers set out in Regulation 4(2)(a) of Part 3 of the 2012 Local Authorities (Committee System) (England) Regulations.

The Decision Review Committee is charged by full Council to undertake responsibility to review or scrutinise a decision made but not yet implemented, triggered by being called-in to the Committee by Members of the Council in certain circumstances, in accordance with the Overview and Scrutiny Procedure Rules set out at Part 4(4) of this Constitution. The Decision Review Committee may either

- (a) uphold the original decision, with or without recommendations, in which case it has immediate effect,  
or
- (b) refer it back to the decision-making Committee, Policy and Resources Committee or (exceptionally), a meeting of the Full Council) with or without recommendations for change. This is the only function of the Committee. For clarification, the process of decision review is not an alternative or additional mechanism to appeals procedures in respect of the decisions of the Council's regulatory committees.

### **Legal Considerations**

The Decision Review Committee must comply with the provisions of the Local Authority (Committee System) (England) Regulations 2021, Parts 3, 4 and 5 (overview and scrutiny) and have regard to Guidance issues by the secretary of State when conducting its business.

