

Section E (Overview and Scrutiny)**Section E - Overview and Scrutiny Procedural Standing Orders**

(The following paragraphs need to be read in conjunction with Standing Orders 18 to 30 of Section C – Cabinet Standing Orders. The Procedural Standing Orders in Section D shall also apply to Overview and Scrutiny committee meetings)

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Request for a Decision not Implemented to be Reconsidered

1. Each Overview and Scrutiny Committee may consider whether an executive decision made but not implemented should be reconsidered by the decision maker (known as a "Call In"), or to arrange for the Full Council to review that decision and decide whether it should be reconsidered.
2. Requests in accordance with Standing Order 1 above must be made in accordance with the following procedure:
 - (1) Unless designated as Urgent in accordance with Standing Order C29 above, no decision of the Executive can be implemented until after three clear working days following the date of the Cabinet or Cabinet Committee at which the decision was made, or, in the case of decisions made by individual Cabinet members, from the date that the decision is published.
 - (2) During this period a written request for a meeting in accordance with Standing Order 1 above to be called for the consideration of "Call In" can be made by any five County Councillors representing more than one single political group on the County Council. Co-opted Members cannot request a special meeting to consider "Call In".
 - (3) The request(s) must be received by Democratic Services on behalf of the Chief Executive by no later than 5.00pm on the third working day following the date of the record of the decision being published. A request submitted later than that cannot be considered.
 - (4) Requests for a special meeting must be made in writing, and signed by the councillor(s) making the request, a proforma for this purpose is available from the C-First portal. E-mail requests must be emailed to democratic.services@lancashire.gov.uk. For verification purposes, requests must come from the Councillors' county council provided email address. Any Councillor wanting to request a special Call In meeting by email must submit an individual email. Emails cannot be sent by one councillor on behalf of another councillor(s).
 - (5) Requests for a special meeting must specify how the decision has breached one or more of the Principles of Decision Making set out at Standing Order A4 above.
 - (6) The meeting of the overview and scrutiny committee must be held within seven clear working days of the request being received by Democratic Services. The date will be agreed by the Chair of the relevant overview and scrutiny committee.
 - (7) The following will be invited to attend the scrutiny meeting:
 - (a) Any Councillor who requested the special meeting;
 - (b) Appropriate representatives of Cabinet;

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- (c) The appropriate officers from the service subject to the proposed decision; and
 - (d) Any other witness the committee wishes to invite.
- (8) At the meeting, the case for the Call In will first be heard. Those requesting the Call In will be given 20 minutes to present the case, and they may, within that time, arrange for outside witnesses (such as members of the public or representatives of other organisations) to speak.
 - (9) The Decision Maker (or representative) if present will be invited to respond, and officers invited to clarify any issues raised. The committee will then debate the matter, questioning any of the presenters as required, and a vote will be taken whether to request the Call In.
 - (10) At the special meeting, the committee may request Full Council to review the decision and decide whether it should be reconsidered only where the original decision was contrary to the Budget and Policy Framework set by the Full Council
 - (11) If the Call In is requested, the committee must also agree the reasons on which the request is based. These reasons must specify which of the Principles of Decision Making set out at Standing Order A4 has been breached and how. The decision and the grounds upon which the request is based shall be registered in writing with the Chief Executive within three clear working days of the meeting of the Overview and Scrutiny Committee.
 - (12) The Decision Maker shall reconsider the decision as soon as is reasonably practical, and publish his/her response in accordance with the rules for the publication of executive decisions. A copy shall be provided to the Chair of the relevant Overview and Scrutiny Committee.
 - (13) All arrangements are subject to the Council's Standing Orders.
 - (14) Once the written request described at Standing Order 2(2) above has been made, the decision must not be implemented until either the overview and scrutiny committee has decided not to request a reconsideration, or until the Decision Maker has published a response to a request for reconsideration, with reasons.

Decision to be reconsidered once only

3. The Decision Maker can only be required to reconsider the same decision on one occasion.

Decisions not to be reconsidered

4. An Overview and Scrutiny Committee shall not exercise its functions under

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Standing Order 1 above:

- (a) where the decision has been designated by the Decision Maker as being urgent in that any delay in its implementation could adversely affect the efficient execution of the County Council's responsibilities; or
- (b) in respect of decisions taken by officers; or
- (c) where an executive decision takes the form of recommendations for final decision by the Full Council.

Party Whips

- 5. In any meeting of any Overview and Scrutiny Committee the Party Whip should not be applied by any political group, but if it is applied it shall be declared at the commencement of every meeting and the item or items to be the subject of the Party Whip shall be specified.

Request for matter to be considered by an Overview and Scrutiny Committee

- 6. If any Member of the County Council or a Co-opted Member of an Overview and Scrutiny Committee wishes to have a matter considered by an Overview and Scrutiny Committee he/she must submit the request in writing to the Chief Executive who, unless it is clear which Committee the request should be referred to, will bring the request to the attention of the next meeting of the Internal Scrutiny Committee, or in cases of urgency to the Chair of the Committee, who will then refer the matter to the appropriate Committee for consideration.