

FULL COUNCIL, 10 July 2019

REPORT OF GOVERNANCE COMMITTEE

Review of Call-in provisions – Overview & Scrutiny

Governance Committee, at its meeting on 25 June 2019 considered a report by the Monitoring Officer which reviewed the overview and scrutiny arrangements in respect of call-in (attached as **Appendix 1**)

The report set out Havering's approach to call-in, with examples given as to how other local authorities approached it. The report concentrated on a number of key provisions, namely::

- Which executive decisions can be called-in;
- Who can make a call-in request;
- The time-limit (or standstill period) for call-in requests;
- Call-in validity criteria; and
- Urgency rules

A number of suggestions were proposed during the meeting and it was resolved to recommend to Full Council at the earliest opportunity that the following changes to the operation of call-in be made:

- 1. Key executive decisions only can be subject to call-in;**
- 2. Any requisition submitted must be in writing and must be signed by at least six members representing between them no less than two groups;**
- 3. Decisions may only be called-in once and that decisions are not eligible for call-in if there has been pre-decision scrutiny;**
- 4. Requisitions must specify the decision to which it relates and must not only set out the grounds or reasons relied upon but, where appropriate, also suggest alternative proposals, actions or resolution of the matter. This will in turn set the parameters within which the decision called-in can be reviewed;**
- 5. Requisitions must not be vexatious, frivolous or repetitive;**
- 6. The Monitoring Officer be authorised to decide whether a call-in is valid as assessed against the agreed criteria and that it is otherwise an appropriate use of the call-in process;**
- 7. The members submitting a call-in requisition or a group representative must attend the meeting of the Overview & Scrutiny Board where the called-in decision is to be reviewed;**
- 8. The provisions relating to "holding" requisitions as set out in paragraph 17(j) of the Overview & Scrutiny procedure rules be deleted.**

It is also RECOMMENDED to Council that the Monitoring Officer be authorised to amend the Constitution in accordance with Appendix 2 of the suggestions proposed by the Governance Committee and any other consequential changes to the constitution.

Finally, at its meeting, the Governance Committee also discussed statutory guidance issued by the Ministry of Housing, Communities & Local Government in May 2019 on “Overview and Scrutiny in Local and Combined Authorities”. The Guidance is attached at **Appendix 3**. The Guidance is concerned with overview and scrutiny as a whole and the very limited references to call-in are in high-level terms only. It advises that the power to call-in should not be viewed as a substitute for early involvement in the decision-making process or a party-political tool (at page 10). Further, effectively-resourced scrutiny can help policy formulation and so minimise the need for call-in of executive decisions (at page 13).

Instead the Guidance majors on the broad and general themes of culture, resourcing, committee member selection, access to information and work planning. The Guidance will be formally reported to the Overview and Scrutiny Board this summer for its comments. Thereafter, any issues arising will be considered carefully and any proposals for changes will be reported to the Governance Committee and ultimately to Full Council.