

## EXTRACT FROM THE CONSTITUTION

### D2 OVERVIEW AND SCRUTINY PROCEDURE RULES

#### Consideration by the Overview and Scrutiny Committee

- 10.17 The Monitoring Officer will ensure that any valid call-in is reported to the next available meeting of the relevant overview and scrutiny committee, or will convene a special meeting if so agreed by the chairman of the overview and scrutiny committee and the decision taker.
- 10.18 The member(s) submitting the request for call-in will be expected to attend the meeting of the relevant overview and scrutiny committee to explain their reasons for the call-in and the alternative course of action or recommendations they wish to propose.
- 10.19 Having considered the call-in and the reasons given, the relevant overview and scrutiny committee may either:-
- 10.19.1 Refer it back to the decision making person or body for reconsideration, normally in time for its next scheduled meeting, setting out in writing the nature of its concerns and any alternative recommendations;
  - 10.19.2 If it considers that the decision is outside the Council's budget and policy framework, refer the matter to full Council after seeking the advice of the Monitoring Officer and/or Chief Finance Officer in accordance with Rule 7 of the Budget and Policy Framework Procedure Rules in Part B3 of the constitution; or
  - 10.19.3 Decide to take no further action, in which case the original Executive decision will be effective immediately.

#### Decisions Referred Back to the Decision-Maker

- 10.20 If a decision is referred back to the original decision maker, that person or body shall then reconsider the matter, taking into account any concerns and recommendations of the overview and scrutiny committee, and make a final decision, amending the decision or not, and give reasons for the decision.
- 10.21 If a decision relates to an Executive function, only the Executive can ultimately decide the matter, provided that it is in accordance with the Council's budget and policy framework.