

SCHEDULE

PART 2

Call-in Process

The call-in process: executive arrangements

7.—(1) A proper officer must, within two working days of the production of a statement in accordance with regulations 25 and 26 of the Executive Arrangements Regulations, submit to the council a notice detailing the decision(s) recorded in the statement.

(2) The notice prepared in accordance with sub-paragraph (1) must specify—

- (a) those decisions that are not subject to call-in;
- (b) the period for receipt of a call-in; and
- (c) the overview and scrutiny committee, as determined by a proper officer, that will consider a call-in in accordance with section 41(1)(a) of the 2014 Act.

(3) If a call-in is not received in respect of a decision, that decision may be implemented after that period expires.

(4) If a call-in is received which specifies that the decision was not taken in accordance with the budget or policy framework agreed by the council, the call-in must be referred to the council for decision.

(5) The implementation of a decision must be postponed until the decision has been reconsidered. The decision maker may rescind the decision at any time prior to the decision being reconsidered.

(6) Subject to sub-paragraph (4) the clerk must place a call-in on the agenda of the overview and scrutiny committee specified in the notice prepared in accordance with sub-paragraph (2).

(7) The overview and scrutiny committee must meet within 5 working days of receipt of the call-in.

(8) More than one call-in may be considered at a meeting of an overview and scrutiny committee.

(9) Subject to sub-paragraph (10), the consideration of a matter under sub-paragraph (5) by an overview and scrutiny committee may be adjourned, provided that—

- (a) the chairperson presiding at the meeting; and
- (b) the chairperson of the executive

agree a date for the resumption of consideration of the call-in request.

(10) A meeting convened in accordance with sub-paragraph (6) may only be adjourned under sub-paragraph (9) in order to—

- (a) allow for additional information to be obtained; or
- (b) permit additional witnesses to attend.

(11) The members who submitted the call-in, or a member on their behalf, must be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the chairperson, address the meeting, but must not have voting rights, unless they are members of the overview and scrutiny committee.

(12) In response to a call-in made in accordance with section 41(1)(a) of the 2014 Act, an overview and scrutiny committee may—

- (a) support the decision; or

Draft Legislation: This is a draft item of legislation and has not yet been made as a Northern Ireland Statutory Rule.

- (b) refer the decision, along with the recommendation of the overview and scrutiny committee, back to the decision maker
- (13) Where a decision has been supported in accordance with sub-paragraph (11), that decision must—
- (a) be approved;
 - (b) be inserted in the Register of Decisions; and
 - (c) become operative from the date of the meeting at which the overview and scrutiny committee confirmed support for the decision.
- (14) Where a decision has been referred back to a decision maker in accordance with sub-paragraph (12)(b), the decision maker must—
- (a) consider the recommendation of the overview and scrutiny committee; and
 - (b) reconsider the original decision.