

Changes to Part 4(e) – Scrutiny Procedure Rules

15. Call-in (see Algorithms in the Annex to these Scrutiny Procedure Rules)

Call-in should only be used where really necessary and the right should not be abused. In particular it should be used where members of the appropriate Scrutiny Committee have evidence which suggest that the Cabinet did not take the decision in accordance with the principles set out in Article 13 (Decision Making).

(a) When a decision is made by the Executive or a key decision is made by an officer with delegated authority from the Executive, the decision shall be published in a Digest, including where possible by electronic means, and shall be available at the main offices of the Council normally within three working days of being made. The Digest will be sent to all Members.

(b) That Digest will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless any 2 members of the Council (including co-opted members) objects to it and calls it in.

(c) The Chief Executive & Town Clerk shall call-in a decision for scrutiny if so requested by any two members of the Council (including co-opted members provided the Proposal relates to their area of responsibility) and shall then notify the decision taker of the call-in. The two members “calling-in” must give written notice to the Chief Executive & Town Clerk by sending an e-mail to committeesection@southend.gov.uk no later than 4.00 pm on the fifth working day after publication of the Digest. The notice must refer to the whole decision, not part, and once given cannot be withdrawn.

(d) When calling-in a decision the two members shall confirm that they want the matter to go to:

(i) the Scrutiny Committee indicated in the Digest or, where more than one is indicated in the report, which of them (if no selection is made, the matter will go to all the Scrutiny Committees indicated in the Digest); or

(ii) another Scrutiny Committee, not indicated in the Digest, in which case a reason should be given. The Chief Executive & Town Clerk will adjudicate on such a request (save that all aspects of the Better Queensway Regeneration Project will solely be within the remit of the Place Scrutiny Committee).

(e) The call-in procedure shall not operate:

(i) in respect of urgent matters. (An “urgent matter” is one constituting an emergency threatening the lives or wellbeing of some or all of the inhabitants of the Borough or any legal, commercial or other matter in which delay may adversely affect the Council’s interests or the rights or interests of others and the Chief Executive & Town Clerk shall be the final arbiter on whether a matter is an “urgent matter”);

Changes to Part 3, Schedule 2 - Terms of Reference of the Place Scrutiny Committee

5.3 Terms of Reference

The Scrutiny Committees shall deal with the following general areas, although many issues will cut across boundaries and consequently the Terms of Reference of the Scrutiny Committees are not to be construed restrictively:

Place Scrutiny Committee

- Planning, Highways & Transportation and Engineering
- Environmental, Waste Management and Public Protection (Regulatory Services)
- Regeneration and Economic Development
- Tourism and Events
- Leisure, Culture and Sport
- Foreshore
- Flood & Waste Management
- All aspects of the Better Queensway Regeneration Project (including housing)