

GBSLEP – Call –in Procedure

1. Call-In

a) When a decision is made by the GBSLEP Supervisory Board (whether or not a key decision), the decision shall be published, including where possible by electronic means, and shall be available at Greater Birmingham & Solihull LEP Executive, Baskerville House, Centenary Square, Birmingham B1 2ND normally within 3 working days of being the decision being made.

(b) Each Local Authority represented on the GBSLEP Supervisory Board and the Members serving on the GBSLEP Joint Scrutiny Committee will be sent in electronic form copies of the record of all such decisions within the same timescale, by the person responsible for publishing the decision.

(c) That notice 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 5 working days after the publication of the decision, unless any 2 Local Authorities object to it and request that the decision be called in for review.

(d) Any Call-In request should be made on the agreed form (Call-In Notice), signed by a Joint Scrutiny Committee representative for each of the Local Authorities requiring the Call-In. The grounds contained in the Notice should related either to one or more of the principles of good decision making or be in conflict with one or more of the GBSLEP Policies. The principles of good decision making are: -

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for the European Convention of Human Rights as applied by the Human Rights Act 1998;
- a presumption in favour of openness;
- clarity of aims and desired outcomes;
- explaining what options were considered and giving the reasons for the decision, and
- having regard to statutory duties in relation to equalities and diversity.

(e) Initially the validity of a Call-In request will be judged by the Solihull MBC Monitoring Officer. This process will not consider the merits of the Call-In simply whether it is properly made and that it reflects one or more grounds referred to in (d) above. If the Call-In is deemed invalid the Call-In request falls.

(f) Subject to (e), the Solihull MBC Chief Executive shall call-in a decision for scrutiny by the Joint Scrutiny Committee and shall notify the GBSLEP Supervisory Board of the Call-In. He/she shall convene a meeting of the Joint Scrutiny Committee to consider the decision.

(g) If, having considered the decision, the Joint Scrutiny Committee is still concerned about it, then it may refer it back to the GBSLEP Supervisory Board setting out in writing the nature of its concerns. If referred back, the GBSLEP Supervisory Board shall reconsider the decision at its next meeting, or before if required, amending the decision or not, before adopting a final decision.

(h) The decision subject to Call-In shall not take effect until either the Joint Scrutiny Committee has met to consider the Call-In and does not refer the matter back to the GBSLEP Supervisory Board or

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upon the reference back following re-consideration by the GBSLEP Supervisory Board who may amend or adhere to the original decision.

2. Call-In and urgency

(a) The Call-In procedure set out above shall not apply where the decision being taken by the GBSLEP Supervisory Board is urgent. A decision will be urgent if any delay likely to be caused by the Call-In process would seriously prejudice the GBSLEP or the public's interests. The record of the decision and notice by which it is made public shall state whether in the opinion of the GBSLEP Supervisory Board, the decision is an urgent one, and therefore not subject to Call-In.

(b) The Chairman of the Joint Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman, the Vice-Chairman's consent shall be required. In the absence of both, the consent of one other member of the Joint Scrutiny Committee. Decisions taken as a matter of urgency must be reported to each of the GBSLEP constituent Councils with the reasons for urgency.

(c) The operation of the provisions relating to Call-In and urgency shall be monitored annually, and a report submitted to constituent Councils with proposals for review if necessary.