

Section E

Scrutiny Procedure Rules

Scrutiny Procedure Rules

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1. Establishment and Membership

- 1.1 The Council will establish the scrutiny committees set out in Article 6 of part 2 of this Constitution and will appoint to them as it considers appropriate from time to time.
- 1.2 Each scrutiny committee shall comprise at least 10 elected members. Notwithstanding this requirement, where a scrutiny committee comprises less than 10 elected members it shall not be prevented from discharging its functions, provided that when it meets the meeting is quorate.
- 1.3 All Councillors except members of the Executive (and Assistants to Executive Members) may be members of a scrutiny committee. However, no member may be involved in scrutinising a decision in which ~~he/she~~ they ~~has~~ have been directly involved.
- 1.4 Chairs of scrutiny committees will be appointed by the Council, provided that the political group balance of the Chairs shall reflect the political balance of the Council.
- 1.5 The Children and Young People Scrutiny Committee will deal with the scrutiny role relating to any education function of the Council. Its membership shall include the following voting representatives:
 - one representative of the Diocese of Manchester
 - one representative of the Diocese of Salford and Shrewsbury
 - three elected parent governor representatives
- 1.6 When the Children and Young People Scrutiny Committee deals with matters not relating in whole or in part to any education functions which are the responsibility of the Executive, the representatives in 1.5 above shall not vote, although they may stay in the meeting and speak.
- 1.7 The Children and Young People Scrutiny Committee shall co-opt as non-voting members of committee two teacher representatives.
- 1.8 The Communities and Equalities Scrutiny Committee shall be the Council's Crime and Disorder Committee, pursuant to section 19 of the Police and Justice Act 2006.
- 1.9 The Health Scrutiny Committee will discharge the Council's health scrutiny functions, pursuant to section 244 of the National Health Service Act 2006 and regulations 21, 22, 23 26 and 27 of The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- 1.10 The Council is a lead local flood authority by virtue of section 6(7) of the Flood and Water Management Act 2010 and is therefore required to ensure that the Council's scrutiny arrangements include arrangements

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for the scrutiny of flood risk management pursuant to section 9FH of the Local Government Act 2000. The Environment, ~~and~~ Climate Change **and Neighbourhoods** Scrutiny Committee shall discharge the Council's flood risk scrutiny functions.

- 1.11 Without prejudice to 1.5 and 1.7 above, scrutiny committees shall be entitled to recommend to Council the appointment of up to two people as non-voting co-optees, provided that a majority of the members of any committee are elected members.

2. Terms of Reference

The general and specific role of the scrutiny committees will be as set out in Article 6 of Part 2 of this Constitution.

3. Meetings of the Scrutiny Committees

There shall be at least 2 ordinary meetings of each scrutiny committee in each council cycle. In addition, extraordinary meetings may be called from time to time as and when appropriate. An extraordinary scrutiny committee meeting shall be called by the Chief Executive at the request of the Chair of the relevant scrutiny committee, by any 5 members of the committee or the Monitoring Officer.

4. Quorum

The quorum for a scrutiny committee shall be in accordance with Council Procedure Rule 15.

5. Work programme

5.1 The scrutiny committees/sub-committees will be responsible for setting their own work programme and in doing so they shall take into account the wishes of members on that committee who are not members of the largest political group on the Council.

5.2 The scrutiny committees shall also respond, as soon as their work programme permits, to requests from the Council and the Executive to review particular areas of Council activity. Where they do so, the scrutiny committee shall report their findings and any recommendations back to the Executive and/or Council. The Council and/or the Executive shall consider the report of the scrutiny committee at the next available meeting.

6. Matters referred by Councillors to Scrutiny Committee and matters referred by the Manchester Youth Council

6.1 Any member of a scrutiny committee or sub-committee may refer to that committee or sub-committee any matter which is relevant to the

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functions of the committee/sub-committee by giving notice in writing to the Chief Executive.

- 6.2 Any member of the authority may refer to a scrutiny committee of which they are not a member any matter which is relevant to the functions of the committee and which is not an “excluded matter” (as defined in Rule 6.8) by giving notice in writing to the Chief Executive.
- 6.3 Any member of the authority who is not a member of the Communities and Equalities Scrutiny Committee (being the designated Crime and Disorder Committee) may refer to that committee any local crime and disorder matter (as defined in Rule 6.9) by giving notice in writing to the Chief Executive.
- 6.4 On receipt of a notice under Rule 6.1, 6.2, 6.3, or 6.11, the matter will be included on the agenda for, and discussed at, a meeting of the relevant committee or sub-committee. Notices under Rule 6.2, 6.3 or 6.11 must be served no later than 28 days before the meeting at which the matter is to be discussed.
- 6.5 In considering whether to exercise the power in Rule 6.2 or 6.3, the member must have regard to any guidance issued by the Secretary of State and any protocol issued by the Council in connection with this power.
- 6.6 In considering whether or not to exercise any of its powers in relation to the matter referred under Rule 6.2 or 6.3 the committee may have regard to any representations made by the member as to why it would be appropriate to exercise any of its powers. If the committee decides not to exercise any of those powers in relation to the matter, it must notify the member of the decision and the reasons for it.
- 6.7 Where the scrutiny committee exercises its power to make a report or recommendation to the Council or the Executive on any matter referred to it by a member under Rule 6.2 or 6.3 the committee must provide the member with a copy of the report or recommendation (subject to Rule 8C).
- 6.8 Under Rule 6.2 an excluded matter means -
 - (a) any local crime and disorder matter as defined in Rule 6.9;
 - (b) any matter relating to a planning decision;
 - (c) any matter relating to a licensing decision;
 - (d) any matter relating to a person where that person has a statutory right to a review or right of appeal (other than a right to complain to the Ombudsman);
 - (e) any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the scrutiny committee or sub-committee meeting.

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Provided that a matter does not fall within a description in (b), (c) or (d) above, if it consists of an allegation that a function for which the authority is responsible has not been discharged at all or that its discharge has failed or is failing on a systematic basis.

- 6.9 Under Rule 6.3 a “local crime and disorder matter”, in relation to a member, means a matter concerning -
- (a) crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour or other behaviour adversely affecting the local environment); or
 - (b) the misuse of drugs, alcohol and other substances,
- which affects all or part of the ward for which the member is elected or any person who lives or works in that ward.
- 6.10 The determination of whether a matter is an “excluded matter” or a “local crime and disorder matter” under Rules 6.8 and 6.9 above shall be made by the Chair of the relevant scrutiny committee in consultation with the City Solicitor.
- 6.11 The Manchester Youth Council (“the Youth Council”) may, by resolution of either House, refer to a scrutiny committee any matter which is relevant to the functions of the committee and which affects young people who live, work or study in the city and which is not an “excluded matter”; or refer to the Communities and Equalities Scrutiny Committee any crime and disorder matter, as defined in Rule 6.11 (b), which is relevant to the functions of the committee by giving notice in writing to the Chief Executive, including with the notice a copy of the resolution of the Youth Council and any report the Youth Council wishes the committee to consider.
- (a) An “excluded matter” means
 - (i) any matter relating to a planning decision;
 - (ii) any matter relating to a licensing decision;
 - (iii) any matter relating to a person where that person has a statutory right to review or a right of appeal (other than a right to complain to the Ombudsman);
 - (iv) any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the scrutiny or scrutiny sub-committee meeting.
 - (b) A “crime and disorder matter” is a matter concerning
 - (i) crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour or other behaviour, adversely affecting the local environment); or

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(ii) the misuse of drugs, alcohol and other substances.

which affects young people who live, work or study in the city.

6.12 In considering whether or not to exercise any of its powers in relation to the matter referred under Rule 6.11 the committee may have regard to any representations made by the Youth Council as to why it would be appropriate to exercise its powers. If the committee decides not to exercise any of those powers in relation to the matter, it must inform the Youth Council of the decision and the reasons for it.

6.13 The determination of whether a matter is an “excluded matter” or a “crime and disorder matter” under Rule 6.11 shall be made by the Chair of the relevant scrutiny committee in consultation with the City Solicitor.

6A Matters referred to the Health Scrutiny Committee by Local Healthwatch

6A.1 The Local Healthwatch organisation or Local Healthwatch contractor (which in Manchester is Healthwatch Manchester) may refer any matter relating to the planning, provision and operation of the health service in Manchester to the Health Scrutiny Committee in accordance with the provisions of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

7. Policy review and development

7.1 The role of the scrutiny committees in relation to the development of the Council's budget and policy framework is set out in the Budget and Policy Framework Procedure Rules.

7.2 In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, scrutiny committees or sub-committees may make proposals to the Executive for developments in so far as they relate to matters within their terms of reference.

7.3 Scrutiny committees may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

8. Reports and Recommendations of Scrutiny Committees

- 8.1 This rule applies where a scrutiny committee makes a report or recommendation to the Council or the Executive, except in relation to a crime and disorder matter or a health scrutiny matter.
- 8.2 The scrutiny committee may publish the report or recommendations.
- 8.3 The scrutiny committee must by notice in writing require the Council or Executive -
- (a) to consider the report or recommendation;
 - (b) to respond to the committee indicating what (if any) action the Council or Executive proposes to take;
 - (c) if the committee has published the report or recommendation to publish the response;
 - (d) if the committee provided a copy of the report or recommendation to a member under Rule 6.7, to provide the member with the response;
 - (e) to do all of the above within two months of receiving the report or recommendations or (if later) the notice.
- 8.4 It is the duty of the Council or Executive to which a notice is given under Rule 8.3 to comply with the requirements specified in the notice.

8A Reports and Recommendations – “partner authorities”

- 8A.1 This rule applies where a scrutiny committee makes a report or recommendation to the Council or the Executive (otherwise than by virtue of subsection 1(b) or 3(a) of section 19 of the Police and Justice Act 2006 (local scrutiny of crime and disorder matters) and the report or any of the recommendations relates to functions of a relevant partner authority so far as exercisable in relation to –
- (a) the Council’s area, or
 - (b) the inhabitants of the Council’s area.

For the purposes of Rule 8A a “relevant partner authority” means –

- The Greater Manchester Combined Authority
- The Greater Manchester Integrated Care Board Manchester Clinical Commissioning Group
- The National Health Service Commissioning Board
- Any provider of probation services operating within Manchester in pursuance of arrangements under section 3 of the Offender Management Act 2007 which provide for it to co-operate with responsible authorities
- Any youth offending team established under section 39 of the Crime and Disorder Act 1998 operating within Manchester
- Any National Health Service Trust or NHS Foundation Trust which provides services within Manchester

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- Arts Council England
- Sport England
- The Environment Agency
- The Health and Safety Executive
- The Office for Nuclear Regulation
- The Historic Buildings and Monuments Commission for England
- The Homes and Communities Agency
- The Museums, Libraries and Archives Council
- Natural England
- The Secretary of State, but only in relation to –
 - ~~His/her~~ **Their** functions under section 2 of the Employment and Training Act 1973 (arrangements with respect to obtaining etc. employment or employees))
 - Functions which ~~he/she has~~ **they have** as highway authority by virtue of section 1 of the Highways Act 1980
 - Functions which ~~he/she has~~ **they have** as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984
 - ~~His/her~~ **Their** functions under sections 2 and 3 of the Offender Management Act 2007 (responsibility for ensuring the provision of probation services throughout England).

8A.2 The scrutiny committee may by notice in writing to the relevant partner authority (accompanied by the report/recommendations) require that authority to have regard to the report or recommendation in question in exercising their functions.

8A.3 The relevant partner must comply with the requirement in the notice to have regard to the report/recommendations.

8B Reports and Recommendations – “risk management authorities”

8B.1 This rule applies where the Council’s Environment, ~~and~~ Climate Change **and Neighbourhoods** Scrutiny Committee is discharging the Council’s scrutiny functions as a lead flood authority pursuant to section 9FH of the Local Government Act 2000.

- (a) For the purposes of Rule 8B the following are “risk management authorities” –
- The Environment Agency
 - A Water Company (as defined by Part 2 of the Water Industry Act 1991).
- (b) The risk management authorities listed at Rule 8B.1(a) must comply with a request made by the Council’s Environment, ~~and~~ Climate Change **and Neighbourhoods** Scrutiny Committee for
- (i) information;
 - (ii) a response to a report.

8C Publication of reports, recommendations and response

Where a report or recommendation of a scrutiny committee or response of the Council or the Executive is published pursuant to Rule 8.2 or 8.3(c), and is provided to a member of the Council or relevant partner authority under Rule 6.7 or 8A.2, or risk management authority under Rule 8B any confidential information must be excluded and any relevant exempt information may be excluded in line with the provisions of Section 9FG of the Local Government Act 2000.

9. Consideration of Scrutiny reports by the Executive

9.1 The agenda for executive meetings shall include an item entitled 'Issues arising from scrutiny'. The reports of scrutiny committees referred to the Executive shall be included at this point in the agenda (unless they have been considered in the context of the Executive's deliberations on a substantive item on the agenda) within two months of the scrutiny committee completing its report/recommendations.

9.2 Where a scrutiny committee or sub-committee prepares a report for consideration by the Executive in relation to a matter where the Leader or Council has delegated decision making power to another individual member of the Executive, then the scrutiny committee will submit a copy of their report to that individual for consideration. At the time of doing so, the scrutiny committee shall serve a copy on the Chief Executive and the Leader. If the member with delegated decision making power does not accept the recommendations of the scrutiny committee then ~~he/she~~ they must then refer the matter to the next available meeting of the Executive for debate before exercising ~~his/her~~ their decision making power and responding to the report in writing to the scrutiny committee. The Executive Member to whom the decision making power has been delegated will respond to the scrutiny committee within 4 weeks of receiving it. A copy of ~~his/her~~ their written response to it shall be sent to the Proper Officer and ~~he/she~~ they will attend a future meeting to respond.

9.3 Scrutiny committees will have access to the Register of Key Decisions and timetable for decisions and intentions for consultation. Even where an item is not the subject of detailed proposals from a scrutiny committee following a consideration of possible policy/service developments, the committee will be able to respond in the course of the Executive's consultation process in relation to any key decision.

10. Rights of scrutiny committee members to documents

10.1 In addition to their rights as councillors, members of scrutiny committees have the additional right to documents, and to notice of

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meetings as set out in the Access to Information Procedure Rules in Part 4 Section B of this Constitution.

- 10.2 Nothing in this paragraph prevents more detailed liaison between the Executive and scrutiny committees as appropriate depending on the particular matter under consideration.

10A Rights of Executive Members

Subject to the provisions of the Code of Conduct for Members and without prejudice to the rights of Executive Members under rule 13.4, Executive Members and Assistant Executive Members may attend meetings of scrutiny committees including parts of the meeting where exempt items are being discussed and shall be entitled to receive the agenda for the meeting (including exempt matters) and to speak, give evidence and answer questions at the invitation of the committee.

11. Members and officers giving account

- 11.1 Any scrutiny committee or sub-committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council function. As well as reviewing documentation, in fulfilling the scrutiny role, it may require any member of the Executive, the Head of Paid Service and/or any senior officer to attend before it to explain in relation to matters within their remit:

- (a) any particular decision or series of decisions;
- (b) the extent to which the actions taken implement Council policy; and/or
- (c) their performance

and it is the duty of those persons to attend if so required.

- 11.2 Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the scrutiny committee shall in consultation with the member or officer arrange an alternative date for attendance.

12. Attendance by others

A scrutiny committee may invite people other than those people referred to in paragraph 11 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and may invite such people to attend.

12A Crime and Disorder Committee – Special Provisions

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12A.1 In this paragraph

- (a) the “responsible authorities” are
 - (i) Manchester City Council,
 - (ii) every provider of probation services operating within Manchester in pursuance of arrangements under Section 3 of the Offender Management Act 2007 which provide for it to co-operate with responsible authorities,
 - (iii) the Chief Constable of Greater Manchester Police,
 - (iv) the Greater Manchester Combined Authority
 - (v) **Greater Manchester Integrated Care Board**~~the Manchester Clinical Commissioning Group.~~

- (b) the “co-operating persons or bodies” are
 - (i) every local probation trust within Manchester
 - (ii) every provider of probation services operating within the area in pursuance of arrangements under section 3 of the Offender Management Act 2007 which provide for it to co-operate under this subsection with the responsible authorities;
 - (iii) any parish council within Manchester,
 - (iv) any National Health Service Trust established under section 25 and Schedule 4 of the National Health Service Act 2006 which manages a hospital, establishment or other facility within Manchester,
 - (v) any NHS foundation trust within the meaning of section 30 and Schedule 7 of the National Health Service Act 2006 within Manchester,
 - (vi) any governing body of a school, within the meaning of section 4(1) of the Education Act 1996, within Manchester maintained by the Manchester local education authority,
 - (vii) any proprietor of an independent school, within the meaning of section 463 of the Education Act 1996 within Manchester,
 - (viii) any proprietor of an alternative provision Academy that is not an independent school within Manchester;
 - (ix) any proprietor of a 16 to 19 Academy within Manchester;
 - (x) any governing body of an institution within the further education sector, as defined in section 91 (3) of the Further and Higher Education Act 1992 within Manchester, and
 - (xi) any private registered provider of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008) in Manchester.

- (c) “crime and disorder functions” mean the reduction of crime and disorder in the area (including anti-social and other behaviour adversely affecting the environment) and combating the misuse of drugs, alcohol and other substances in the area and reduction of re-offending in the area.

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- (d) “local crime and disorder matter” has the meaning set out in paragraph 6.9

12A.2 The Crime and Disorder Committee may make reports and recommendations to the Council or to the Executive, as appropriate, with respect to the discharge by any of the responsible authorities of their crime and disorder functions or with respect to any local crime and disorder matter.

12A.3 The Crime and Disorder Committee may require the attendance before it of an officer and employee of a responsible authority or of a co-operating person or body in order to answer questions, provided that reasonable notice of the intended date of attendance has been given to that person.

12A.4 The Crime and Disorder Committee may make a request in writing to the responsible authorities or the co-operating persons or bodies for information relating to –

- (a) the discharge, or decisions or actions taken in connection with the discharge, by the responsible authorities of their crime and disorder functions; or
- (b) local crime and disorder matters in relation to which the Committee has functions under Section 19 of the Police and Justice Act 2006.

12A.5 Where the Crime and Disorder Committee makes a request for information under paragraph 12A.4, the responsible body or co-operating person or body must provide the information –

- (a) no later than the date indicated in the request, unless some or all of the information cannot be reasonably provided by that date, in which case it must be provided soon as reasonably possible;
- (b) excluding personal data unless (subject to (c) below) the identification of an individual is necessary or appropriate in order to enable the Committee to properly exercise its powers;
- (c) excluding information that would be reasonably likely to prejudice legal proceedings or current or future operations of the responsible authorities or the co-operating persons or bodies.

12A.6 Where the Crime and Disorder Committee makes a report or recommendations to the local authority with respect to a local crime and disorder matter, it must provide a copy of the report and recommendations to such of the responsible authorities or co-operating persons or bodies, as it thinks appropriate.

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12A.7 Where the Crime and Disorder Committee provides a report or recommendation to a responsible body or a co-operating person or body in respect of a local crime and disorder matter, the responses to such report or recommendations shall be in writing and submitted to the Committee within a period of 28 days from the date of the report or recommendation or, if not reasonably practicable, as soon as reasonably possible thereafter.

12B Health Scrutiny Committee – Special Provisions

The Health Scrutiny Committee may review and scrutinise any matter relating to the planning, provision and operation of the health service in Manchester in accordance with the provisions of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

13. Call-in

- 13.1 When a decision is made by the Executive, an individual member of the Executive or a committee of the Executive, or a key decision is made by an officer with delegated authority from the Executive, or an area committee or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the Town Hall normally within two working days of being made. All members of the Council will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
- 13.2 The record of the decision will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, as from 4.00pm on the fifth working day after the day on which the decision was published, unless within this time it is called in for scrutiny.
- 13.3 Subject to 13.5 below, a decision may be called-in for scrutiny by a Scrutiny Committee if the Chair of a Scrutiny Committee or any five members of the Council submit a notice in writing to the Chief Executive within the five working day period giving reasons why the decision should be scrutinised.
- 13.4 The Chief Executive shall determine which is the relevant scrutiny committee then notify the decision-taker and the Chair of that committee of the call-in. Any item which is called-in will then be placed on the agenda for the next meeting of that scrutiny committee. The relevant Chief Officer and/or Executive Member shall have the right to attend the meeting to explain the reasons for the decision and to respond to comments made at the meeting subject in the case of Executive Members to the provisions of the Code of Conduct for Members.

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- 13.5 A decision may not be called-in if the Committee has already **wholly endorsed the particulars of that decision or** made recommendations to the decision-taker and those recommendations have been accepted by the decision-taker either in whole or without significant addition or modification.
- 13.5A Where a decision has been called-in by five members of the Council, those members shall have the right to attend the meeting of the relevant scrutiny committee when it considers the call-in, including where the public have been excluded during that item of business, and may make submissions at the meeting in respect of the call-in in accordance with any call-in procedures adopted by the committee. These rights are without prejudice to any rights a member may have by virtue of being a member of the relevant scrutiny committee.
- 13.6 Where a decision has been called-in by five members of the Council and none of those members attend, the Committee may at its discretion determine not to scrutinise the decision.
- 13.7 If, having considered the decision, (which consideration must be completed before the next scheduled meeting of the Executive) the scrutiny committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council. Matters should normally only be referred to full Council if the scrutiny committee consider the decision to be contrary to the policy framework of the Council or contrary to or not wholly in accordance with the budget.
- 13.8 If the decision is referred back to the decision maker they shall then reconsider who may amend the decision or not, before adopting a final decision which will come into force immediately.
- 13.9 If following an objection to the decision, the scrutiny committee does not either refer the matter back to the decision making person or body or refer the matter to full Council or determines under 13.6 above not to scrutinise the matter, the decision shall take effect on the date of the scrutiny meeting.
- 13.10 If the matter was referred to full Council and the Council does not object to the decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no locus to make decisions in respect of an Executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it.

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13.11 If the Council does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting.

14. Call-in and Urgency

14.1 The call-in procedure set out above shall not apply where the decision being taken by the Executive is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the legal or financial position of the Council or the interests of the residents of Manchester. The record of the decision, and the notice by which it is made public shall state whether in the opinion of the decision making person or body (having considered the advice of the Head of the Paid Service and/or the Monitoring Officer and/or the Chief Finance Officer), the decision is an urgent one, and therefore not subject to call-in. The Chair of a relevant 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 Chair, the Lord Mayor's consent shall be required. In the absence of both, the Head of Paid Service or ~~his/her~~ their nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

14.2 The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

14.3 Where a decision is exempted from call-in, it will become effective immediately or (if later) as soon as the agreement of the Chair of the relevant scrutiny committee (or the Lord Mayor/Head of Paid Service, if appropriate) has been obtained.

15. The party whip

When considering any matter in respect of which a member of a scrutiny committee is subject to a party whip the member must declare the existence of the whip, and the nature of it before the commencement of the committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

16. Procedure at scrutiny committee meetings

16.1 Scrutiny committees and sub-committees shall consider the following business:

(a) minutes of the last meeting;

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- (b) declarations of interest (including whipping declarations);
- (c) consideration of any matter referred to the committee for a decision in relation to call in of a decision;
- (d) responses of the Executive to reports of the scrutiny committee; and
- ~~(a)~~ (e) the business otherwise set out on the agenda for the meeting.

16.2 Where the scrutiny committee conducts investigations (e.g. with a view to policy development), the committee may also ask people to attend to give evidence at committee meetings which are to be conducted in accordance with the following principles: -

- (a) that the investigation be conducted fairly and all members of the committee be given the opportunity to ask questions of attendees, and to contribute and speak;
- (b) that those assisting the committee by giving evidence be treated with respect and courtesy; and
- (c) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

16.3 Following any investigation or review, the committee/sub-committee shall prepare a report, for submission to the Executive and/or Council as appropriate and shall make its report and findings public.

17. Matters within the remit of more than one scrutiny committee

Where a scrutiny committee conducts a review or scrutinises a matter which also falls (whether in whole or in part) within the remit of another scrutiny committee, then the committee conducting the review shall invite the Chair of the other committee (or ~~his/her~~ their nominee) to attend its meetings when the matter is being reviewed.