

17. Call-in procedures

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17.1 What decisions can be called in?

The following decisions can be called in:

- *resolutions by the Cabinet*
- *key decisions taken by officers*
- *ward member spend (Part 4.7)*
- *planning decisions taken by the Oxford City Planning Committee*
- *decisions on planning applications that were going to be taken by the Head of Planning Services*

17.2 Notices of decisions

- (a) After a decision is taken that could be called in (or when Committee and Member Services are notified of the decision if that is later), Committee and Member Services will send electronically a notice of decision to all councillors (and any co-opted members of the body that took the decision) within two working days of the decision.
- (b) A notice of decision relating to ward member spend will, after the approval provided for in Part 4.6(c), be sent by Community Services to all councillors within five working days of the approval.
- (c) The notice of decision will say what the decision was and where it can be called in to.
- (d) The notice of decision will be marked with the date it was published and will say that the decision will come into force if it is not called in within two working days of that date.

17.3 Who can call in decisions and when do they have to be called in by?

| Decision | Can be called in by | Deadline |
|--|---|---|
| Decisions on planning applications (those seeking determinations within 5.3(a)) to be taken by the Head of Planning Services | Any six councillors | 5pm on the last day of the period of 21-days starting with the day on which notice of the application is sent to councillors (via the weekly planning list) |
| Planning decisions (those within 5.3(a)) taken by Oxford City Planning Committee | Any twelve councillors or the Head of Planning Services | 5pm on the last day of the period of two working days starting the day after that on which the draft minute of the decision is published |
| Non-planning decision taken by the Cabinet | Any four councillors or the Chair of the Scrutiny Committee | Within two working days of the draft minute of the decision being published |
| Key decision taken by an officer | Any four councillors or the Chair of the Scrutiny Committee | Within two working days of the notice of decision being published |
| Ward member spend | Any four councillors or the Chair of the Scrutiny Committee | Within two working days of the notice of decision being published |

Co-opted committee members cannot call in decisions.

17.4 How are decisions called in?

Decisions are called in by sending notice of call-in to the Head of Law and Governance or emailing it to the internal call-in mailbox.

All planning call ins must be supported by relevant material planning considerations. If an executive decision is being called in because it is believed to be outside the budget and policy framework, the notice of call-in must say so.

When a decision is called in, the Head of Law and Governance will tell the officer or ward member or the chair of the body that took the decision, or in the case of call-in of a planning decision to be taken by the Head of Planning Services, the Head of Planning Services.

17.5 Where are decisions called in to?

(a) The table shows where decisions are called in to

| Decision | Called in to |
|---|--------------------------------|
| Decisions on planning applications to be taken by the Head of Planning Services | Oxford City Planning Committee |
| Planning decisions taken by Oxford City Planning Committee | Planning Review Committee |
| Non-planning decision or ward member spend | Scrutiny Committee |

(b) A special meeting can be called to consider a decision that has been called in if the Head of Law and Governance believes it is not in the Council's interest to wait until the next ordinary meeting.

17.6 What happens when a planning decision is called in?

The Oxford City Planning Committee or Planning Review Committee will decide the planning application.

17.7 What happens when a decision is called in to the Scrutiny Committee?

The Scrutiny Committee can decide to:

- support the decision, which can then be acted on immediately, or
- send the decision back with its comments to the Cabinet or ward member or officer, who will then take a final decision, or
- send comments to Council on any decision that recommends changing the budget or policy framework.

17.8 Decision believed to be outside the budget or policy framework

(a) The Monitoring Officer or Chief Finance Officer will say whether the decision is outside the budget or policy framework.

(b) If the decision is not outside the budget or policy framework, the Scrutiny Committee can decide to:

- support the decision, which can then be acted on immediately, or
- send the decision back with its comments to the Cabinet or ward member or officer, who will then take a final decision.

(c) If the decision is outside the budget or policy framework, it will go as a recommendation to Council, along with any comments from the Scrutiny Committee. Council can then:

- make the Cabinet reconsider the decision, or

- change the budget or policy framework so that the decision is within it – the decision can then be acted on immediately.

17.9 Urgent decisions

A decision to be taken cannot be called in if the Chair of the Scrutiny Committee, upon being consulted, agrees that:

- the decision to be taken is both urgent and reasonable and
- the delay caused by the call-in process would not be in the interests of the Council or the public.

If the Chair of the Scrutiny Committee is not available, the Lord Mayor must agree that the decision to be taken is urgent and reasonable. If the Lord Mayor is not available, the Deputy Lord Mayor, Chief Executive or Monitoring Officer must agree.

Decisions to which this rule applies must be identified on the notice of decision.

Decisions to which this rule applies must be reported to the next ordinary Council meeting with the reasons why they were urgent. If the next meeting is within seven days of the decision being taken the decision taker will report to the next meeting after that.