

Part 4, Section 5:

Overview and Scrutiny Procedure Rules

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Arrangements

- 4.5.1. Council will appoint Overview and Scrutiny Panels as set out **in Article 6** of this Constitution to discharge the overview and scrutiny function and act as the Council's designated Crime and Disorder Committee¹.
- 4.5.2. The Panels may appoint smaller groups (known as Task and Finish groups) to carry out detailed examination of specific topics and report back to them. Task and Finish groups shall either be for a fixed period, on the expiry of which they shall cease to exist, or to undertake a specified piece of overview and scrutiny work, on the completion of which they shall cease to exist. No more than two Task and Finish Groups will exist at any one time unless agreed by the Head of Paid Service. The Task and Finish groups are not committees or sub-committees and therefore are not within

¹ Section 19 of the Police and Justice Act 2006.

scope of the **Access to Information Rules** (see further Part 4, Section 2 of this constitution).

- 4.5.3. All councillors, except the Chairman of the Council and councillors discharging executive functions², are eligible for appointment to an Overview and Scrutiny Panel. However, no councillor may be involved in scrutinising a decision in which they have been directly involved.
- 4.5.4. Overview and Scrutiny Panels may co-opt additional non-voting members to serve on the Panel and may withdraw that appointment at any time. The appointments in total will be:
 - 4.5.4.1. up to five non-voting co-opted members for a term of office which does not go beyond the next Annual Meeting of the Council; and
 - 4.5.4.2. up to two non-voting co-opted members for the term of a particular overview and scrutiny topic.
- 4.5.5. Crime and Disorder³ co-opted members shall be appointed subject to such terms of appointment as the Overview and Scrutiny Panel may impose including:
 - 4.5.5.1. any limit on the matter or type of matter in relation to which the co-optee may participate;
 - 4.5.5.2. whether the co-optee shall be entitled to vote;
 - 4.5.5.3. the term of the co-optee's appointment.
- 4.5.6. A substitute member, appointed in accordance with **paragraphs 4.1.106 to 4.1.108** of the Council Procedure Rules, shall be entitled to attend an Overview and Scrutiny Panel meeting in place of a regular Councillor.
- 4.5.7. The quorum for any Overview and Scrutiny Panel shall be as set out in the Council Procedure Rules.
- 4.5.8. Overview and Scrutiny Panels should not normally scrutinise decisions taken by other committees of the Council, particularly those relating to regulatory functions.
- 4.5.9. The views of all members of the Overview and Scrutiny Panels should be taken into account when determining the work plan, and the views of councillors dissenting from a majority recommendation should be reflected in reports to decision-makers.

² Section 9FA(3) Local Government Act 2000

³ Police and Justice Act 2006 S20; Crime and Disorder (Overview and Scrutiny) Regulations 2009/942

Meetings

- 4.5.10. Each Overview and Scrutiny Panel ('the Panel(s)') will meet at least six times in each municipal year, with additional meetings as might be required. The Panels will usually meet at the Council's main offices, or any other location agreed by the Panel Chairman. Meetings will be convened and managed in accordance with the provisions of the [Access to Information Rules](#) (see further Part 4, Section 2 of this Constitution) and the [Council Procedure Rules](#) (Part 4, Section 1 of this Constitution) .
- 4.5.11. At each meeting, the Panel will consider all Executive Decisions referred to it in accordance with the call-in procedure (see [further paragraph 4.5.41](#)). The Panel may also:
 - 4.5.11.1. establish Task and Finish groups to carry out specific tasks or scrutinise specific areas;
 - 4.5.11.2. require any member of the Cabinet or the Chairman of any committee to attend a meeting of the Panel and if they do so it is the duty of that councillor to attend;
 - 4.5.11.3. require any officer of the Council to attend a meeting of the Panel and if they do so it is the duty of that officer to attend;
 - 4.5.11.4. ask to see any documents belonging to the Council which the Panel has a need to know about for the purpose of carrying out its functions in accordance with the provisions of the [Access to Information Rules](#) (see further Part 4, Section 2 of this Constitution).
 - 4.5.11.5. publish reports relating to any of its functions but not normally without first asking for the comments of the Cabinet.

Business

- 4.5.12. Each Panel will exercise the functions set out in the terms of reference of the Panel, as set out at [Article 6](#) of this constitution.
- 4.5.13. As soon as reasonably possible after the start of the municipal year, each Panel will prepare a work programme setting out the matters it proposes to scrutinise. A copy of the programme will be provided to Council for information, but the Panel need not keep to the published work programme.
- 4.5.14. The work programme must take account of the wishes of councillors who are not members of the largest political group on the Council. Any member

of a Panel may request that the Panel of which they are a member considers a matter relevant to that Panel's functions⁴.

4.5.15. All Panels shall participate in the development of the Council's Budget and the Policy Framework as set out in **the Budget and Policy Framework Rules**.

Rules

4.5.16. The provisions set out within the **Council Procedure Rules** (see further Part 4 Section 1 of this Constitution) in respect of substitution, co-option, quorum and voting shall apply to the Panels.

4.5.17. Notice of Panel meetings shall be given in accordance with **the Access to Information Rules** (see further Part 4, Section 2 of this Constitution) and, subject to any statutory prohibitions and to the provisions of this Part, all formal meetings of a Panel shall be open to the public in accordance with the Access to Information Rules. This shall be without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

4.5.18. A Panel may resolve to exclude the press and public from a meeting (whether the whole or part only of the proceedings) in accordance with the **Access to Information Rules**.

4.5.19. Minutes of Panel meetings will be published in accordance with the **Access to Information Rules**.

Agenda items

4.5.20. A councillor who is not a member of a Panel may give written notice to the Head of Paid Service to refer any 'local government matter' relevant to the Panel's functions⁵. The Head of Paid Service shall arrange for the item to be included on the agenda of the appropriate Panel for consideration at the earliest practicable opportunity.

4.5.21. A 'local government matter' is a matter which relates to the discharge of any function of the authority, affects all or part of the electoral area for

⁴ Section 9FC(1a&b) Local Government Act 2000

⁵ Sometimes known as a 'Councillor Call for Action' – in considering whether to exercise this right to refer the councillor shall consider any guidance for the time being issued by the Secretary of State

which the member is elected or any person who lives or works in that area and is not an 'excluded' matter. Excluded matters⁶ are:-

- 4.5.21.1. licensing decision;
 - 4.5.21.2. planning decision;
 - 4.5.21.3. a matter relating to an individual or entity where there is already a statutory right of a review or appeal (other than the right to complain to the Local Government and Social Care Ombudsman); or
 - 4.5.21.4. a matter which is vexatious, discriminatory or not reasonable to be included on the agenda or discussed at the Panel meeting.
- 4.5.22. In relation to paragraph 4.5.21.1 to 4.5.21.3, in the limited circumstances of an allegation that a function for which the authority is responsible has not been discharged or that its discharge has failed or is failing on a systematic basis, the item can, in appropriate circumstances, be placed on the agenda even if it relates to a planning or licensing decision or an individual or entity and the individual or entity have a separate legal right of review or appeal.
- 4.5.23. The decision concerning the inclusion or exclusion of matters listed in paragraph 4.5.21.4 will be made by the Chairman of the Panel (or their vice-chairman if absent) having taken advice from the Council's Monitoring Officer and, where practicable, having afforded the councillor concerned the opportunity to make representations in the matter.
- 4.5.24. The Panels shall respond to any request from Council and, where it considers it appropriate, the Cabinet, to review particular areas of Council activity as soon as the agreed work programme permits. The Panels shall report any findings and make any recommendations to Council or the Cabinet as appropriate. Council or Cabinet shall consider a Panel report within two months of receiving any findings or recommendation.
- 4.5.25. Each Panel is expected to consider the following business (in no particular order) at an ordinary meeting:
- 4.5.25.1. exclusion of public;
 - 4.5.25.2. late items;
 - 4.5.25.3. declarations of interest;
 - 4.5.25.4. apologies for absence;
 - 4.5.25.5. minutes of the last meeting;
 - 4.5.25.6. items referred to the Panel;

6 The Overview and Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2008

4.5.25.7. the business otherwise set out on the agenda for the meeting; and

4.5.25.8. the Panel's work programme

The order of the items upon the agenda shall be determined by the Chairman of the relevant Panel.

Policy Review and Development

4.5.26. The role of the Panels in relation to the development of the Council's budget and policy framework is set out in the **Budget and Policy Framework Rules** in Part 4, Section 3 of this Constitution.

4.5.27. Outside of the budget and policy framework, the Panels may make proposals to the Cabinet on matters within their terms of reference.

4.5.28. A Panel may hold inquiries and investigate the available options for future policy development and officers may be called upon to assist in this process. A Panel may do all that it reasonably considers necessary to inform their deliberations, including asking witnesses to attend to address the commission on any matter under consideration and may reimburse expenses for attending.

Reports from Panels

4.5.29. The Panel will prepare a formal report, which sets out any conclusions reached on a matter, and submit it to the Head of Paid Service for consideration by the Council or the Cabinet. A report of a Task and Finish group shall be submitted to the relevant Panel.

4.5.30. Unless the Panel agree the report to Council or the Cabinet with no member voting against, one minority report may be prepared and submitted for consideration by the Council or the Cabinet with the majority report.

4.5.31. Council or the Cabinet shall consider the report of the Panel within two months of receipt by the Head of Paid Service and shall provide comments on it to the body making the report within a further two months.

Consideration of reports by the Cabinet

4.5.32. The **Executive Procedure Rules** ensure that the agenda for all meetings of the Cabinet has provision for issues referred from the Overview and Scrutiny Panels. A report from a Panel referred to the Cabinet shall be taken at that point in the agenda, unless considered as a part of a separate substantive item on the agenda.

- 4.5.33. Where, for any reason, the Cabinet does not consider a report within two months, the matter shall be referred to Council for review. The Head of Paid Service will arrange for the matter to be considered at a meeting of the Council which may make a recommendation to the Cabinet.
- 4.5.34. The Panels shall have access to the Forward Plan which sets out the Cabinet's timetable for decisions and arrangements for consultation. Where an item is not the subject of proposals from the Panel following consideration of policy and service developments, the Panel may respond as a part of the consultation in relation to any key decision.

Rights of access to documents

- 4.5.35. In addition to their rights as Councillors, members of Panels have additional rights of access to documents and notice of meetings as set out in the [Access to Information Rules](#) in Part 4, Section 2 of this Constitution.
- 4.5.36. Nothing in these rules prevents more detailed liaison between the Cabinet and the Panels as appropriate depending on the particular matter under consideration.

Member and officer accountability

- 4.5.37. The Panels may scrutinise and review decisions made or actions taken in connection with the discharge of any function of the Council. They may review documentation and may require:
- 4.5.37.1. any member of the Cabinet;
 - 4.5.37.2. the Chief Executive;
 - 4.5.37.3. Chief Officers;
 - 4.5.37.4. Deputy Chief Officers;
 - 4.5.37.5. any officer below Deputy Chief Officer (but only following consultation with any of the officers referred to above by the chair of the Panel requiring the attendance and agreement having been reached that the attendance is necessary and appropriate);
to attend and answer questions on matters within their area of responsibility and concerning:
 - 4.5.37.6. a particular decision or series of decisions;
 - 4.5.37.7. the extent to which actions taken implement Council policy;
 - 4.5.37.8. the performance of any service for which the officer has a responsibility.
- 4.5.38. It is the duty of any person whose attendance is required at a meeting to attend as required. Any unresolved requests for officer attendance are to

be brought to the attention of the Chairman of the relevant Panel and the Head of Paid Service.

- 4.5.39. Where any councillor or employee is required to attend a Panel, its Chairman will inform the Head of Paid Service who shall then inform the councillor or employee in writing. At least five clear days' notice of the meeting at which they are required to attend will be given. The notice will provide a summary of the matter being scrutinised and indicate whether any documentation is required to be made available. Where the production of a report is required the councillor or employee concerned will be given sufficient notice to allow for preparation and publication of the report.
- 4.5.40. Where, in exceptional circumstances, the councillor or employee is unable to attend on the required date, the Panel shall, in consultation with the councillor or employee concerned, arrange an alternative date.

Attendance by others

- 4.5.41. The Panels may invite any person, not including a person referred to in **paragraph 4.5.37** above, to address the Panel, raise issues of local concern and / or answer questions. The Panels may hear from residents, stakeholders, members and officers from other public sector bodies and shall invite such people to attend, recognising that their attendance cannot be required.

Call-In

- 4.5.42. When an executive decision is made, notice of the decision is published in accordance with the **Access to Information Rules** in Part 4, Section 2 of this Constitution. The period between the date of publication of the notice of decision and the date on which a decision will take effect shall be known as the 'call-in period'.
- 4.5.43. Subject to these Rules, decisions by the following may be called-in for scrutiny:
- 4.5.43.1. Cabinet;
 - 4.5.43.2. A Cabinet member (including the Leader and Deputy Leader of the Council);
 - 4.5.43.3. A committee of the Cabinet;
 - 4.5.43.4. An officer in the case of a Key Decision.
- 4.5.44. The discretion to call-in a decision may only be exercised in accordance with these Rules and where there is evidence that the decision was not made in accordance with the principles of decision making set out in **Article 10** of this Constitution (see paragraph 2.10.19).

- 4.5.45. When exercising the discretion to call-in a decision, councillors should take into account the desirability of co-ordination and avoidance of duplication. Each Panel has the power⁷ to 'call-in' for scrutiny all decisions made by the Cabinet but not implemented, and recommend that they are reconsidered, reviewed or scrutinised by Council.
- 4.5.46. A decision that is called-in cannot be implemented until the call-in process is completed. A decision can only be called-in once. A Cabinet recommendation to Council is not a decision and therefore may not be called in.
- 4.5.47. Any called-in matters that are subsequently considered by Council under this arrangement will be dealt with in accordance with the **Council Procedure Rules** rather than these **Overview and Scrutiny Procedure Rules**.
- 4.5.48. A decision which is alleged to be contrary to the budget or the policy framework is not subject to call-in but may be dealt with under the provisions of **paragraphs 4.5.75 to 4.5.77**.

Requests to call-in

- 4.5.49. During the call-in period the Panel Chairs, or any five councillors (not including a member of the decision-making body), may request that a decision be called-in. The request shall be made to the Head of Paid Service in writing within the call-in period, before the date of implementation.
- 4.5.50. The notice of call-in shall be submitted in writing or electronically via the appropriate form to the Head of Paid Service and provide the following information:
- 4.5.50.1. the resolution(s) that the councillors wish to call in;
 - 4.5.50.2. the reasons why the Panel should review or scrutinise the decision and consider referring it back to the decision maker;
 - 4.5.50.3. whether it is considered to be outside of the budget or the policy framework;
 - 4.5.50.4. the alternative course of action or recommendations they wish to propose; and
 - 4.5.50.5. be signed and dated by the required councillors set out in **paragraph 4.5.49**.

⁷ section 9F(2) and 9(F)(4) of the Local Government Act 2000 (as amended by the Localism Act 2011)

- 4.5.51. The Head of Paid Service will determine the call-in request to be valid unless any of the following apply:
- 4.5.51.1. The procedures set out above have not been properly followed; or
 - 4.5.51.2. The decision has been recorded as urgent as set out in paragraph 4.5.63 below; or
 - 4.5.51.3. The request for call-in is not a proper use of the call-in provisions having regard to factors such as:
 - 4.5.51.3.1. the extent of any pre-decision scrutiny by a Panel;
 - 4.5.51.3.2. changes to the nature of the decision being made since any pre-decision scrutiny of the proposals;
 - 4.5.51.3.3. a decision taken by Cabinet when preparing the annual budget or new policy proposals for submission to Council for decision;
 - 4.5.51.3.4. the extent of impact of the proposal (i.e, the number of wards and or portfolios affected);
 - 4.5.51.3.5. the number of public representations on the proposal;
 - 4.5.51.3.6. the extent of legal, financial or propriety issues relating to the proposal;
 - 4.5.51.3.7. whether the decision taker failed to seek or to take into account any views previously expressed by the relevant Panel;
 - 4.5.51.3.8. the extent of concern or distress to the local community, or prejudice to individuals within it;
 - 4.5.51.3.9. the extent of consultation;
 - 4.5.51.3.10. the significance of damage to the interests of the Council from delay in taking or implementing the decision.
- 4.5.52. Valid call-in requests will be referred to a meeting of the relevant Panel ('the call-in meeting'). The Panel will consider the matter and the decision taker will be notified that the decision is subject to call-in and may not therefore be implemented. Where the Head of Paid Service does not find the call-in request to be valid, they will provide a written record setting out the reasons for their decision.

Meetings at which a call-in is considered

- 4.5.53. The Head of Paid Service will, in consultation with the Chairman of the relevant Panel, determine the date of the meeting at which the call-in is to be considered ('the call-in meeting'). Five clear days' notice of the meeting

must be given in accordance with the provisions of the Access to Information Rules.

- 4.5.54. Where the Panel is already scheduled to meet within the period in which a call-in meeting would otherwise be called and take place, the scheduled meeting shall consider the call-in.
- 4.5.55. The call-in meeting should take place no later than 10 clear days following the receipt of the call-in request. If the call-in meeting is not held within this period, the decision should take effect at the expiry of the 10 clear working days.
- 4.5.56. A councillor who has signed a call-in request is not eligible to be considered as a substitute for a member of the Panel which will consider the call-in request but may participate in the debate of that call-in by the Panel, irrespective of whether they are a member of the Panel.
- 4.5.57. The call-in meeting may, subject to the provisions set out below, resolve to deal with the call-in in one of the following ways:
 - 4.5.57.1. reject the call-In and endorse the decision;
 - 4.5.57.2. refer the matter to the decision taker for reconsideration;
 - 4.5.57.3. subject to **paragraph 4.5.60**, refer the matter to Council.

Endorse the decision

- 4.5.58. If the Panel decide to accept the decision, the decision shall take effect on the date of the Panel's acceptance.

Referral to the person or body which took the decision

- 4.5.59. If the Panel decide to refer the matter back to the decision taker it shall set out in writing its reasons for so doing. The person or body concerned shall receive a revised report setting out those reasons and shall:
 - 4.5.59.1. reconsider the decision having regard to them; and
 - 4.5.59.2. address each specific issue raised in the revised report.

The decision taker may amend or confirm the original decision, which shall be final and take immediate effect.

Referral to Council

- 4.5.60. The Panel may only refer a matter to Council where there has been a significant or repeated breach of the principles of decision making warranting the involvement of Council. A meeting of Council shall consider the matter within 10 clear days of the decision to refer the matter. On consideration of the referral the Council may:

- 4.5.60.1. endorse the decision; or
 - 4.5.60.2. refer the matter back to the decision taker.
- 4.5.61. Where Council endorses the decision or does not meet within 10 clear working days, the decision shall take effect on the day of the Council meeting or on expiry of 10 clear days, whichever is sooner. Where Council refers the matter back to the decision-maker it shall set out in writing its reasons for so doing. The decision-maker shall reconsider the original decision and may amend or confirm the original decision, which shall be final and take immediate effect.

Abuse of call-in

- 4.5.62. The Panel may only call-in a reasonable⁸ number of decisions each year. Where the Cabinet considers that an unreasonable number of decisions are subject to call-in, it may prepare and refer a report to the Panel or the Council (or one of its committees) for consideration.

Urgent implementation

- 4.5.63. The call-in procedure will not apply to urgent decisions if the decision taker declares that the decision is exempt from call-in in accordance with **paragraph 4.4.62** of **the Executive Procedure Rules**. The decision will have immediate effect providing:
- 4.5.63.1. in deciding the urgency of Key Decisions, paragraphs **4.2.43** or **4.2.44** of the Access to Information Rules at Part 4 ,Section 2 of this constitution (general exception and special urgency) apply; or
 - 4.5.63.2. in deciding the urgency of decisions which are contrary to the Budget and Policy Framework, the procedure in paragraphs **4.3.6.3** **to 4.3.6.5** of the **Budget and Policy Framework Rules** at Part 4, Section 2 of this constitution apply; or
 - 4.5.63.3. in all other cases the final decision as to whether a decision is urgent will rest with the Head of Paid Service or in their absence the Monitoring Officer.
- 4.5.64. For this purpose, an urgent decision is one which cannot reasonably wait until the full call-in process would otherwise have been completed because the delay would seriously prejudice either or both of the following:
- 4.5.64.1. the legal or financial position of the Council;
 - 4.5.64.2. the interests of the residents of the District.

⁸ As determined by the Head of Paid Service, informed by the impact on staff resources

- 4.5.65. Where a decision-maker considers that a decision requires urgent implementation they shall:
- 4.5.65.1. consult with the Monitoring Officer; and
 - 4.5.65.2. record the fact that the decision requires urgent implementation and shall not be subject to call-in on the record of the decision and in any notice by which it is made public; and
 - 4.5.65.3. obtain approval to implement the decision from the Chairman of the relevant Panel or, in their absence the Vice Chairman or, in the absence of both, the agreement of two members of the Panel; and
 - 4.5.65.4. on the day that any approval is provided, notify in writing the leader of each political group of the use of this provision.
- 4.5.66. All decisions taken under **paragraph 4.5.63** shall be reported to the next meeting of Council together with the reasons in support of urgent implementation.
- 4.5.67. The operation of arrangements relating to call-in and urgent implementation will be monitored and an annual report shall be submitted to Council with such recommendations as may be considered appropriate⁹.

Failure to follow the key decision process¹⁰

- 4.5.68. Where an Executive Decision was made and:
- 4.5.68.1. was not treated as being a key decision; and
 - 4.5.68.2. an Overview and Scrutiny Panel is of the opinion that the decision should have been treated as a key decision
- the relevant Panel may pass a resolution at a meeting requiring the Cabinet to submit a report to Council within such reasonable time as the Panel specifies¹¹ setting out:
- 4.5.68.3. the decision and the reasons for the decision;
 - 4.5.68.4. the decision maker who made the decision; and
 - 4.5.68.5. the reasons as to why the decision was not treated as a key decision.

⁹ See further **paragraph 4.2.54** of the **Access to Information Rules**.

¹⁰ Regulation 18 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

¹¹ See further paragraph **4.2.46** of the **Access to Information Rules** at Part 4, Section 2 of this Constitution

- 4.5.69. The relevant Chief Officer will prepare a report for submission to the next available meeting of the Council¹² following the end of the period specified by the Overview and Scrutiny Panel. The report to Council will set out particulars of the:
- 4.5.69.1. decision;
 - 4.5.69.2. reasons for the decision;
 - 4.5.69.3. individual or body making the decision; and
 - 4.5.69.4. if the Leader is of the opinion that it was not a key decision, the reasons for that opinion

Procedure at Panel meetings

- 4.5.70. Where the Panel conducts an investigation, it may also ask people to attend to give evidence at meetings. The meetings shall be conducted in accordance with the following principles:
- 4.5.70.1. the investigation shall be conducted fairly and all members of the Panel shall be given the opportunity to ask questions of persons attending, to contribute and speak;
 - 4.5.70.2. the persons assisting the Panel by giving evidence shall be treated with courtesy and respect;
 - 4.5.70.3. the investigation shall be conducted so as to maximise the efficiency of the investigation or analysis.
- 4.5.71. At the conclusion of any investigation or review, the Panel shall prepare a report for submission to the Cabinet and / or the Council, as appropriate, and shall make its report and findings public.

Matters within the remit of more than one Panel

- 4.5.72. Where a matter for consideration falls within the remit of more than one Panel, the decision as to which Panel will consider the matter shall be resolved by the Panel Chairmen. In exceptional circumstances, they may decide to convene as a joint panel.

¹² Allowing a minimum of 5 clear working days to prepare the report prior to dispatch of the summons to Council. If the notice to submit a report to Council is received within 14 calendar days of the next Full Council meeting, the Leader may elect to report to the following ordinary Full Council meeting.

Decisions outside the budget and / or the policy framework

- 4.5.73. Where the Panel determines that a decision taken in the discharge of an executive function is, or if made would be, contrary to or not wholly in accordance with the Council's budget or contrary to the policy framework, the Panel shall seek the advice of the Chief Finance Officer and the Monitoring Officer in accordance with paragraph 4.4.46 of the Executive Procedure Rules.
- 4.5.74. If either or both the Chief Finance Officer and the Monitoring Officer provide a written report in respect of whether a matter is inside the budget and or policy framework, a copy of that report shall be provided to the Cabinet with a copy sent to every member of the Council. The Cabinet shall meet to decide what action will be taken in respect of the report and to prepare a report to Council in the event that it is the conclusion of the Chief Finance Officer and Monitoring Officer that the decision was a departure, and to the Panel if the conclusion is that the decision was not a departure.
- 4.5.75. If the decision has not been made, or it has been made but not implemented, and the advice of the Chief Finance Officer and the Monitoring Officer is that the decision is, or would be, contrary to or not wholly in accordance with the budget or contrary to the policy framework, the Panel may refer the matter to Council. No action may be taken to implement the decision until Council has met and considered the matter. The Council shall meet within 7 clear days of the request by the Panel to receive a report of the decision and the advice of the Chief Finance Officer and the Monitoring Officer. The Council may:
- 4.5.75.1. endorse the decision as one that falls within the budget and policy framework and take no further action;
 - 4.5.75.2. endorse the decision as an approved exception to the budget and policy framework or amend the budget and policy framework so that it includes the decision and take no further action;
 - 4.5.75.3. determine that the decision is contrary to or not wholly in accordance with the budget or contrary to the policy framework and require the Cabinet to reconsider the matter in accordance with the advice of the Chief Finance Officer and Monitoring Officer.