



**Appendix B**

**DECISION REVIEW PROCEDURE RULES**

**1. Overview**

The Decision Review mechanism provides a way in which controversial decisions made by certain committees and officers under delegated authority, may be reviewed by the General Purposes Committee and in some cases revised by Full Council.

Due to the costs and delay caused by review, it is intended that it should only be used in exceptional circumstances as a last resort.

Where the review process is initiated the implementation of the decision subject to the review shall be suspended until the process is complete or the review withdrawn.

There are two routes for decision review the first via the General Purposes Committee and the second being direct to Full Council.

**2. Decisions which may be subject to review**

Subject to the exceptions set out below, the Decision Review Procedure applies to any decisions made by committees and to any Key Decisions made by officers.

The General Purposes Committee may not review its own decisions and these may only be subject to review via the Full Council route.

**3. Decisions which may not be reviewed**

The following categories of decision are exempt from the decision review process:

- i) A decision which was made more than 3 working days ago;
- ii) A decision which satisfies the criteria for urgent decisions as set out in the Council's Rules of Procedure;
- iii) A decision by Full Council or subject to Full Council approval; or
- iv) Decisions made by regulatory committees and/or decisions of a quasi-judicial or regulatory nature.
- v) A decision which has already been subject to a request for a decision review by the General Purposes Committee, unless it is submitted for review by the Full Council in accordance with Rule 4 b) below.



#### **4. Decision Review Process**

##### **a) Review by General Purposes Committee**

Where at least 8 elected members of the Council wish to initiate a review of a decision which falls within the remit of the procedure, they may do so by submitting a written request for review to the Monitoring Officer or Chief Executive.

Such a request must be received by the Monitoring Officer or Chief Executive before the end of 3 full working days from the date on which the decision notice was published.

Where this criterion is met, the matter shall be referred to the General Purposes Committee for consideration as to whether the review request should be dismissed or upheld.

If the request is dismissed, those members requesting the review will be notified and the original decision shall take effect by 9.30am the next working day following the day of the GPC meeting which reviewed the request.

If the review is upheld the matter shall be referred back to the relevant committee or decision-taker with a recommendation from the GPC. The relevant committee or decision taker shall determine whether to amend the decision or not before reaching a decision. Unless subject of a request for a decision review in accordance with Rule 4 b) below, the decision of the relevant committee or decision taker will take effect at 9.30am on the fourth full working day from the date on which the decision notice was published

A decision may only be subject of a request for a decision review by the General Purposes Committee once. Once the request has been considered by the General Purposes Committee, the decision may not be subject of a further request for a decision review by that Committee. However, it may, subject to compliance with (b) below, be submitted for a decision review by the full Council.

##### **b) Review by Full Council**

Where at least 24 elected members of the Council wish to initiate a review by Full Council of a decision, they may do so by submitting a written request for review to the Monitoring Officer or Chief Executive.

Requests must be received by the Monitoring Officer or Chief Executive before the end of 3 full working days from the date on which the decision notice was published, or, where a review request has been dismissed by the GPC, before the end of 3 full working days from the publication of the notice of the GPC's decision to reject the review request.



Full Council may either:

- i) Dismiss the review request;
- ii) Refer the decision back to the committee or decision make with a recommendation, or
- iii) Substitute its own decision which shall have immediate effect.

A decision may only be the subject of a request for a decision review by the Full Council once. Once the request has been considered by the Council, the decision may not be subject of a further request for a decision review by the Full Council.

## **5. The Decision Review Procedure Timescales**

Where a valid review request is received, the Monitoring Officer shall convene a meeting of the General Purposes Committee or Full Council as appropriate, to take place within 10 working days or as soon as is practically possible thereafter.

In setting the date of the review hearing, all reasonable efforts will be made to enable attendance by Members, relevant Officers and other witnesses. Councillors who have requested the review shall have the right to address the Committee or Full Council when it deals with the issue subject to the usual limits on speeches.