

REPORT TO: East Lothian Council

MEETING DATE: 28 June 2022

BY: Executive Director for Council Resources

SUBJECT: Amendment to Standing Orders: Introduction of Call-in Process for Cabinet

1 PURPOSE

- 1.1 To seek approval for changes to Standing Orders and the Scheme of Administration for Cabinet to allow for the introduction of a call-in process, in accordance with the decision taken by Council at its meeting on 24 May 2022.

2 RECOMMENDATIONS

- 2.1 That Council approves the proposed Cabinet call-in process (as set out in Section 3.2), and the consequent changes to Standing Orders and the Cabinet Scheme of Administration.

3 BACKGROUND

- 3.1 At its meeting on 24 May 2022, the Council agreed to introduce a call-in process whereby items on Cabinet agendas could, at the request of a number of Members, be called in and placed on the agenda for the next meeting of the Council.
- 3.2 The proposed process for calling in items is as follows:
- In order for a call-in request to be valid, it will require the support, in writing, of four Members.
 - The deadline for calling in an item of business will be noon on the day before the Cabinet meeting. Items cannot be called in after this time.
 - Time-critical items of business (i.e. those items which require a decision to be taken before the date of the next ordinary Council

meeting) will be exempt from the call-in process. It will be for the Chief Executive to determine whether a matter is time-critical.

- 3.3 It is proposed that a new Standing Order is established to reflect this process. This proposed wording of this new Standing Order (5.4) is as follows:

Standing Order 5.4: Call In Process

A minimum of four Councillors shall be required to call in items of business from a Cabinet agenda. Written notice of a call-in must be submitted to the clerk to the Cabinet (by electronic mail) by noon on the day before the meeting at which the item(s) are due to be considered; each Councillor requesting the call-in is required to notify the clerk separately. Any items of business called in in accordance with this process will be withdrawn from the Cabinet agenda and referred to the next ordinary Council meeting for consideration. Time-critical items of business (i.e. those items which require a decision to be taken in advance of the next ordinary Council meeting) will be exempt from the call-in process. It shall not be competent for Councillors to use the provisions set out in Standing Order 4.2(ii) (Special Meetings) to request a special meeting of the Council to specifically call in time-critical items of business from a Cabinet agenda.

- 3.4 The existing Standing Order 5.4 will be re-numbered as Standing Order 5.5.
- 3.5 The Scheme of Administration for Cabinet will be updated to reflect the introduction of a call-in process (see Appendix 1). This process will be reviewed in the spring of 2023 as part of the wider review of Standing Orders and the Scheme of Administration.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
- 6.2 Personnel – None

6.3 Other - None

7 BACKGROUND PAPERS

7.1 East Lothian Council's Standing Orders

7.2 Report to East Lothian Council, 24 May 2022: Appointments to Committees, Sub-Committees, Associated Committees and Partnerships

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DATE	30 May 2022

CABINET

A Remit and Powers

The following business and functions are delegated by the Council to the Cabinet (without prejudice to the Scheme of Delegation):

1. The development, determination and review of Council policy and strategy
2. Financial reporting
3. Partnership working
4. Initiating, confirming and making of statutory orders
5. Funding to external organisations
6. Introducing new charges for Council services

B Membership and Attendance

1. The membership of the Cabinet shall include a Convener and, if desired, a Depute Convener. The Council shall determine the membership of the Cabinet.
2. Councillors who are not members of the Cabinet will have the right to attend meetings of the Committee and to question officers on any matter under consideration.

C Quorum

1. Half the membership + 1

D Substitutes

1. There shall be no substitutes.

E Meetings

1. Meetings shall take place in accordance with Standing Order 4.

F Reporting Arrangements

1. The clerk shall be responsible for taking minutes of the meetings of the Cabinet.
2. Minutes shall be presented to the Cabinet for approval.

G Miscellaneous

1. Decisions of the Committee on functions delegated to them shall be reported to the Council for information only unless the Committee resolves that a particular item of business should be referred to the Council for decision.

2. [In accordance with Standing Order 5.4, a minimum of four Councillors is required to request in writing that items of business may be called in from Cabinet and referred](#)

to Council for consideration. As set out in that Standing Order, this rule does not apply to items of business which require a decision to be taken before the date of the next ordinary Council meeting.