



**OVERVIEW AND SCRUTINY COMMITTEE CALL-IN PROCEDURE
(Standing Order 35)**

Decision of Cabinet to be called in:

Date of meeting	7 July 2014
Minute number	27
Subject	Financial Monitoring 2014/15

Reason(s) for call-in (use additional sheet if required):

To disagree with paragraph (5) of minute 27 (Cabinet 7th July 2014) - changes to Public Health grant funded projects identified in Annex 4 of Appendix A listed as "Health Outcomes Fund - Efficiencies and Stopping" Having regard to Cabinet's decision of 10th October 2013, which noted that progress and spend would be monitored by The Public Health Department on a regular basis, no information on the impact on the previously agreed outcomes for each project that it is proposed to curtail or stop was placed before Cabinet on the 7th July prior to making the decision. Particular areas of concern

- a. Forest Schools - The Forest Schools project has had 727 children from 14 schools attending so far with plans for 6 schools to take part from September. This decision will mean a reduction of participation of 50% of early years children able to take part and a reduction in children able to attend from schools from 30 to 15 per class. This results in schools being treated differently part way through the programme
- b. Healthy Homes - Fewer homes will be able to benefit from grant assistance in bringing houses up to acceptable healthy standards. The decision will mean, based on the average cost of cosyhomes grants processed to date of £2,564 a reduction in help for 21 households Cabinet should not therefore approve the changes to the projects identified in Annex 4 of Appendix A until Families and Wellbeing Policy and Performance Committee has had an opportunity to scrutinise in full the impact on the agreed outcomes for each project affected.

Monitoring information by the Public Health Department should be made available to the Families and Wellbeing Policy and Performance Committee to enable them to properly advise Cabinet, in due course, of the impact of the proposed reductions to enable a fully informed decision to be taken about each project.

With regards to the funding for the Forest Schools and Healthy Homes projects Cabinet is urged to reconsider its decisions and restore the original level of grant funding so that the projects can build on the levels of participation and uptake as originally envisaged.

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Called in by [signature(s) to be inserted]:

Councillor	Stuart Kelly
Councillor	Chris Carubia
Councillors:	
(1)	Phil Gilchrist
(2)	Pat Williams
(3)	Chris Blakeley
(4)	Dave Mitchell
(5)	Paul Hayes

***Received by:**

Signature:	Date	Time
On behalf of the Head of Legal and Member Services		

Referred to:

Policy and Performance Co-ordinating Committee	Date 7 August 2014
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*This form must be received by the Head of Legal and Member Services by **no later than 5.00 pm** on the fifth working day following notification that the minutes have been published.

APPENDIX 2

STANDING ORDER 35

Calling in of decisions

(1) All decisions of:

- (i) the Executive Board,
- (ii) an individual member of the Executive Board or
- (iii) a committee of the Executive Board, and
- (iv) key decisions taken by an officer;

shall be published, and shall be available at the main offices of the Council normally within 2 days of being made. All members of the Council will be sent a copy of the decision.

(2) That Minute(s) will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, unless the decision is called in for scrutiny by 5:00p.m. on the final day of the call-in period of five clear working days from the date of publication. (Adjusted by a maximum of one day if there is one or more Bank Holidays in that period)

(3) (a) During that period, the Chief Executive shall Call-In a decision for scrutiny by the Co-ordinating Committee if so requested by any six members of the Council who have given detailed reasons for the Call-In of the decision. The detailed reasons must be provided by the Lead signatory, by the Call In deadline. When a Call In is requested the Chief Executive shall liaise with the Member listed first on the Call-In schedule, to ensure there is sufficient information provided to enable the Call-In to proceed. As long as there is a clear reason given, the call-in should be allowed. He/she shall then notify the decision-taker of the Call-In. He/she shall call a meeting of the Committee on such date as he/she may determine, where possible after consultation with the Chair of the Co-ordinating Committee, and in any case within 15 working days of the decision to call-in.

(b) The relevant Chief Officer and all members will be notified of a call-in immediately and no action will be taken to implement the decision until the call-in procedure has been completed. A decision of the Cabinet, a committee of the Cabinet or individual Cabinet member may be called in only once.

(4) Having considered the decision, the Co-ordinating Committee may:-

- (i) refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or;
- (ii) refer the matter to full Council. Such a referral should only be made where the Co-ordinating Committee believes that the decision is outside the

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policy framework or contrary to or not wholly in accordance with the budget. The procedures set out in those rules must be followed prior to any such referral.

- (5) If a decision is referred back to the decision making person or body it shall be reconsidered in the light of the written concerns of the Co-ordinating Committee before a final decision is made.
- (6) If following a call in, the Co-ordinating Committee does not refer the matter back to the decision making person or body and does not refer the matter to Council, the decision shall take effect on the date of the Co-ordinating Committee meeting. If the Co-ordinating Committee does not meet the decision shall take effect from the date when the Committee should have met.
- (7) If the matter is referred to full Council and the Council does not object to a decision which has been made, then the decision will become effective on the date of the Council meeting.
- (8) If the Council does object the Council may take a decision, which is outside the policy and budgetary framework. Otherwise 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. Where the decision was taken by the Executive Board as a whole or a committee of it, a meeting will be convened to reconsider within ten working days of the Council request. Where the decision was made by an individual, the individual will reconsider within ten working days of the Council request.
- (9) Call-in should only be used in exceptional circumstances where members have evidence which suggests that the decision was not made in accordance with the principles of decision making in the constitution.
- (10) Call-in and urgency
 - (a) The call-in procedure set out above shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay is likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest. 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, the decision is an urgent one, and therefore not subject to call-in. The Chief Executive must agree both that the decision proposed is reasonably in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
 - (b) 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.