



HILLINGDON  
LONDON



# Executive Scrutiny Committee

**Date:** THURSDAY, 20 OCTOBER  
2016

**Time:** 7.15PM OR AT THE RISING  
OF CABINET, WHICHEVER  
IS EARLIEST

**Venue:** COMMITTEE ROOM 6 -  
CIVIC CENTRE, HIGH  
STREET, UXBRIDGE UB8  
1UW

**Meeting  
Details:** Members of the Public and  
Press are welcome to attend  
this meeting

## Members of the Committee

Councillor Henry Higgins (Chairman)  
Councillor John Riley (Vice-Chairman)  
Councillor Mo Khursheed  
Councillor Wayne Bridges  
Councillor Nick Denys  
Councillor Duncan Flynn  
Councillor John Oswell  
Councillor Jan Sweeting  
Anthony Little (Representative Member  
for Education Issues)

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This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=236&MId=2742&Ver=4>

***Putting our residents first***

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## Accessibility

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## Attending, reporting and filming of meetings

For the public part of this meeting, residents and the media are welcomed to attend, and if they wish, report on it, broadcast, record or film proceedings as long as it does not disrupt proceedings. It is recommended to give advance notice to ensure any particular requirements can be met. The Council will provide a seating area for residents/public, an area for the media and high speed WiFi access to all attending. The officer shown on the front of this agenda should be contacted for further information and will be available at the meeting to assist if required. Kindly ensure all mobile or similar devices on silent mode.

Please note that the Council may also record or film this meeting and publish this online.

## Emergency procedures

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# **Executive Scrutiny**

## **About this Committee**

To exercise the right set out in the Policy Overview and Scrutiny Procedure Rules to call-in and recommend for reconsideration any key decisions made but not yet implemented by the Cabinet, a Cabinet Member, a Council Cabinet Sub-Committee or an officer. This would include any key decision that needs further information from the decision-maker to explain why it was taken.

“Call in” enables the Committee:

- To question the circumstances of the decision
- To ask for more information about the decision if that contained in the report recommending the decision is considered inadequate
- To decide whether to ask for the decision to be reconsidered by the person or Committee that took it.

## **Rules of Procedure**

### **Call-In**

- a) When a decision is made by the Cabinet, an individual Member of the Cabinet or a Committee of the Cabinet, or a Key Decision is made by an officer with delegated authority from the Cabinet, or under joint arrangements, the decision shall be published, including by electronic means, and shall be available at the Civic Centre normally within 2 working days of being made.
- b) The notice of the decision will bear the date on which it is published and notified to all Members of the Council and will specify that the decision will come into force, and will then be implemented, on the expiry of 5 working days after the publication of the decision, unless the decision is called-in by the Executive Scrutiny Committee.
- c) The Committee will normally meet immediately after the conclusion of a meeting of Cabinet to enable Members to review the decisions taken at the Cabinet meeting and give consideration to the potential for call-ins of items. Should there not be a consensus as to which decisions require such consideration then the matter will be determined by a majority vote of those Members of the Committee present and able to vote (with respect to the normal rules as set out in the Code of Conduct).
- d) On areas where Members request further information or clarification, officers will be asked to provide a response to the Committee queries by midday on the following Monday following the Cabinet and this Committee meetings.
- e) These responses will be sent to Members of this Committee by email, and based on this information, Members will be asked to email or telephone Democratic Services on whether they are content with the information supplied or whether they recommend the calling –in of the particular item. The majority of the Committee Members will have to agree to the call-in request for it to proceed.

- f) If an item is called in, another formal meeting of the Committee will take place on the Tuesday (or the Thursday at the latest) of the following week after Cabinet, where relevant officers and the relevant Cabinet Member, if appropriate, will be invited to discuss the called-in item.
- g) Decisions made by an individual Member of the Cabinet or a Key Decision made by an officer with delegated authority from the Cabinet, can be called-in by agreement of the Chairman of the Committee and the lead representative of the majority party on the Committee within 5 working days of the decision being published. These Members shall inform the Head of Democratic Services of the reasons for the call in. The Executive Scrutiny Committee will meet within 5 days of the Head of Democratic Services being notified to consider the decision.
- h) If, having considered the decision, the Executive Scrutiny Committee is still concerned about it, then it may:
- refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns, or
  - refer the matter to full Council, but only in the circumstances set out below.
- i) A decision will not be referred to full Council unless either the Committee believes it to be contrary to the Policy Framework or Budget, or considers that it was a Key Decision that was not dealt with as such by the Cabinet. If it is referred to the decision maker they shall then reconsider within a further 5 working days, amending the decision or not, before adopting a final decision.
- j) If following an objection to the decision, the Executive Scrutiny Committee does not hold the two meetings within 10 working days of the date of the Cabinet meeting, the original decision shall take effect at the end of the 10-day period.
- k) If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below.
- l) If the Council does object, it has no authority to make decisions in respect of a Cabinet decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, 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 Cabinet as a whole or a Committee of it, a meeting will be convened to reconsider within 10 working days of the Council request. Where the decision was made by an individual, the individual will reconsider within 10 working days of the Council request.
- m) If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

## **CALL-IN AND URGENCY**

The call-in procedure set out above shall not apply where the decision being taken by the Cabinet or executive member is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests or could lead to an (increased) risk of damage to people or property. The record of the decisions, and 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 Head of Paid service or his/her nominee and the Chairman of the Executive Scrutiny Committee or his/her nominee must be informed that the decision will be implemented immediately upon their all agreeing that the decision is reasonable and to it being treated as a matter of urgency, or after 2 clear days should no objection to urgent implementation be received. Decisions taken as a matter of urgency must be reported to the next available meeting of Council, together with the reasons for urgency.



# Agenda

- 1 Apologies for Absence and to report the presence of any substitute Members
- 2 Declarations of Interest in Matters coming before this meeting
- 3 To receive the minutes of the meeting held on 22 September 2016 1 - 2
- 4 Exclusion of Press and Public  
To confirm that the items of business marked Part I will be considered in public and that the items marked Part II will be considered in private.
- 5 Consideration of any Call-Ins 3 - 6  
To hear the Call-In of any decisions made at the Cabinet meeting prior to this meeting or made by Cabinet Members, other Council Committees or a delegated officer and published within five working days of this meeting.

Members should bring their Cabinet agenda to the meeting.

Members should consider any other decision published in the five working days before this meeting.

The purpose of this meeting is to decide whether to refer back any decision to the decision maker.