



HILLINGDON
LONDON



Executive Scrutiny Committee

Date: THURSDAY, 16 JULY 2009

Time: TIME NOT SPECIFIED

Venue: FILL IN THIS FIELD VIA
'CONFIGURE/ROOMS,
LOCATIONS' MENU AND
COMPLETE 'ADDRESS
SUMMARY' FOR YOUR
SELECTED ROOM

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

Councillors on the Committee

Brian Crowe
Eddie Lavery (Vice-Chairman)
Tony Little, Roman Catholic Diocesan
Representative
John Riley
David Yarrow (Chairman)

**This agenda and associated
reports can be made available
in other languages, in Braille,
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further information.**

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This Agenda is available online at:
<http://www.hillingdon.gov.uk>

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Useful information

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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 2 June 2009
- 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

The 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 decisions 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.

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Agenda Item 3

Executive Scrutiny Committee

2 June 2009

Minutes



HILLINGDON
LONDON

	<p>Members Present: Councillors David Yarrow (Chairman), Brian Crowe and John Riley</p> <p>Representative Member for Education Issues: Tony Little</p> <p>Apologies: Councillor Edward Lavery</p> <p>Officer Present: Khalid Ahmed.</p>		
	<p>Declarations of Interest: None.</p>		
	<p>Minutes of the meeting held on 27 January 2009 Agreed as an accurate record.</p>		
	<p>Exclusion of the press and public: It was agreed that all items of business were considered in public.</p>		
1.	<p>Decisions of Cabinet – To consider the decisions made at the Cabinet meeting on 28 May 2009</p> <p>Members noted that at the informal meeting of this Committee which had met after the Cabinet meeting on 28 May 2009 there had been no requests from Members for further information on clarification on any Cabinet report.</p>		
2.	<table border="1"><tr><td><p>Work Programme and meeting dates 2009/10</p><p>Consideration was given to proposals to improve the effectiveness of this Committee's performance and its work programme for 2009/10.</p><p>The proposal was for a formal Executive Scrutiny Committee meeting to take place at the rising of Cabinet meetings. At this meeting Members would review the decisions taken at the Cabinet meeting and give consideration to the potential for call-ins of items. On areas where further information or clarification was sought, officers would be asked to provide a response to the Committee queries by midday on the following Monday. These responses would be sent to Members of this Committee by email, and based on this information, Members would be</p></td><td><p>Action By:</p></td></tr></table>	<p>Work Programme and meeting dates 2009/10</p> <p>Consideration was given to proposals to improve the effectiveness of this Committee's performance and its work programme for 2009/10.</p> <p>The proposal was for a formal Executive Scrutiny Committee meeting to take place at the rising of Cabinet meetings. At this meeting Members would review the decisions taken at the Cabinet meeting and give consideration to the potential for call-ins of items. On areas where further information or clarification was sought, officers would be asked to provide a response to the Committee queries by midday on the following Monday. These responses would be sent to Members of this Committee by email, and based on this information, Members would be</p>	<p>Action By:</p>
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	<p>asked to email or telephone Democratic Services on whether they were content with the information supplied or whether they recommended the calling –in of the particular item. The majority of the Committee Members would have to agree to the call-in request for it to proceed.</p> <p>If an item was called in, another formal meeting of the Committee would 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, would be invited to discuss the called-in item.</p> <p>The suggested changes would require a change to both the Council’s timetable of meetings and the Constitution in respect of the rules of procedure relating to Call-ins.</p> <p>Members were informed that the proposed changes if approved would come into effect pending full Council approval on 2 July and the first formal meeting of the Executive Scrutiny Committee would be on 16 July, at the rising of the Cabinet meeting.</p> <p>Resolved –</p> <ol style="list-style-type: none"> 1. That, subject to the approval of the Leader of the Council, Council be recommended to agree the amendments to the rules of procedure relating to Call-In as outlined above. 2. That subject to Council’s approval of the changes to the rules of procedure relating to Call-in, the Council’s timetable of meetings be amended so that formal meetings of this Committee take place after Cabinet meetings. 	<p>Khalid Ahmed</p> <p>Khalid Ahmed</p>
	<p>Meeting closed at 7.35pm Next meeting: Informal Executive Scrutiny Committee – 25 June 2009 at the rising of Cabinet</p>	

These are the minutes of the above meeting. For more information on any of the resolutions please contact Khalid Ahmed on 01895 250833. Circulation of these minutes are to Councillors, Officers, the Press and Members of the Public.

Agenda Item 5

**TO CONSIDER THE CALL IN OF ANY DECISIONS MADE AT
CABINET ON 16 JULY 2009 OR MADE BY CABINET MEMBERS,
OTHER COUNCIL COMMITTEES OR A DELEGATED OFFICER AND
PUBLISHED WITHIN FIVE WORKING DAYS OF THE MEETING.**

ITEM 1

Contact Officer: Khalid Ahmed
Telephone: 01895 250833

REASON FOR REPORT

To provide information to Committee Members on their powers to call in decisions made by Cabinet, Cabinet Members and officers with delegated power from Cabinet.

OPTIONS OPEN TO THE COMMITTEE

To note the contents of this report and use it to inform the process of, considering whether to request further information on decisions taken at Cabinet, or to approve the Call-in of decisions. If Members agree to Call-In an item, 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.

To hear any called in decisions made recently by Cabinet Members, other Council Committees or a delegated officer.

The options open to the Committee when considering a Called In decision is to:

- i. Refer it back to the decision-making person or body for reconsideration, setting out in writing the nature of the Committee's concerns, or
- ii. Refer the matter to full Council, but only in the circumstances set out in the rules of procedure (included earlier in this agenda and reports), or
- iii. Decide not to refer back the decision. If the Committee wishes, it may give advice or feedback to the decision-maker and/or officers.

INFORMATION

Criteria and process for deciding a call-in

1. Advisory criteria agreed by the Committee for deciding whether or not to call in a decision are attached in Annex 1. If a decision is called in, the criteria will be referred to in the call-in notification, to give reasons for the Committee's decision.
2. The advisory criteria may be amended at any time, if the Committee feels they do not adequately reflect the range of reasons for calling in decisions.
3. At this Committee's meeting on 2 June 2009 approval was given to an amendment to the rules of procedure relating to Call-Ins. These amendments were approved by Council at their meeting on 2 July 2009.

4. The purpose of this meeting is to enable Members to review the decisions taken at the Cabinet meeting which is taking place prior to this meeting and give consideration to the potential for call-ins of items.
5. 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 (20 July 2009).
6. 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.
7. 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.
8. Any Member of the Committee may also propose a decision for call in by contacting Democratic Services, the Chairman of the Committee or the lead representative of the majority party on the Committee. It is recommended that this is done either before the Cabinet meeting or within 2 working days of the Cabinet meeting in order to allow time for the Committee to be consulted before the deadline for considering the decision expires. Any proposals will be notified to the whole Committee for comment and agreement.

Cabinet agendas and decisions

9. All Members of this Committee are on the Cabinet team mailing lists to receive printed copies of the Cabinet meeting agendas and decisions.

Education decisions

10. Representative Members for Education on the Committee can only vote education issues. They may speak on education and other matters.

Cabinet Members' and officers' decisions

11. The Forward Plan lists planned Cabinet Members' decisions and may be used to guide scrutiny of Cabinet Members' decisions. All Members of this Committee also receive an e-mail copy of all requests for Cabinet Members' decisions. All Councillors receive e-mail copies of Cabinet Members' decisions when made, which may be published at any time. Call-in on these decisions can only take place within 5 working days of the decision being published.
12. As advised at the Committee's first meeting, Government Guidance states that day-to-day decisions by officers should be excluded from scrutiny. There is no central record of officers' delegated decisions. Cabinet Members are briefed on the more significant delegated decisions at Directors' briefing. Directorates should keep records of delegated decisions.

BACKGROUND PAPERS

Annex 1 – Criteria for call-in as agreed at the first meeting of the Committee in 2006.

Members should bring their copies of the Cabinet agenda and decisions and the Forward Plan to the meeting.

SUGGESTED SCRUTINY ACTIVITY

- Refer to the attached criteria when considering Cabinet decisions for call-in, noting those that are mandatory and those that are advisory.
- To review the decisions taken at the Cabinet meeting which is taking place prior to this meeting and to give consideration to the potential for call-ins of items as outlined in the Call-In procedure.
- If a vote is taken, Education representatives may only vote on items or elements of item reports concerning education
- Consider recent Cabinet Member decisions – decide whether to call-in any of these.

Annex 1 – Criteria for call-in agreed at the Executive Scrutiny Committee’s first meeting

Mandatory

- a. A majority of the Committee agrees to call-in the decision (this is required by the Constitution)

Advisory

- b. The expenditure or savings resulting from the decision are £25,000 or greater (to stop trivial call-ins)

and one or more of the following:

- c. The recommendations that lead to the decision do not adequately reflect the evidence contained in the report.
- d. There is evidence that does not appear to have been considered in reaching the decision.
- e. There is a high level of public interest or concern, perhaps evidenced by many complaints or a petition to Councillors.
- f. The decision appears to be contrary to an Auditor’s or an Inspector’s recommendation.
- g. Cabinet has not accepted a recommendation from another O&S committee.