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**Scrutiny Management Committee  
(Calling – In)**

**7 December 2009**

**Report of the Head of Civic, Democratic and Legal Services**

**Called-in Item: Introduction of a Quality Contract for  
Bus Service Provision in York**

**Summary**

1. This report sets out the reasons for the call-in of the decisions made by the Executive on 17 November 2009 in relation to a report produced in response to a motion agreed by Council on 2 April 2009, outlining the process by which a Quality Contract Scheme for bus services might be introduced in York under Section 124 of the Transport Act 2000. This covering report also explains the powers and role of the Scrutiny Management Committee in relation to dealing with the call-in.

**Background**

1. An extract from the decision list published after the relevant Executive Meeting is attached as Annex A to this report. This sets out the decisions taken by the Executive on the Quality Contract item. The original report to the Executive is attached as Annex B.
2. Councillors Alexander, Merrett and Potter have called in the Executive's decisions for review by the Scrutiny Management Committee (SMC) (Calling-In), in accordance with the constitutional requirements for post-decision call-in. The reasons given for the call-in are:

*“That the Executive:*

- 1. Has failed to take into account the primacy of Full Council's passing a motion on Quality Contracts on 2nd April this year;*
- 2. Has also failed to explore using the tools that a Statutory Quality Contract would make available to improve bus reliability, punctuality and the level of fares;*

*3. Is blind to the opportunity provided to introduce cross-ticketing given that some local bus companies are not prepared to co-operate, thus creating an incentive for the public to use local bus services; and*

*4. Failed to consider the possibilities of seeking Government funding to be the first authority to implement a Quality Contract scheme.”*

### **Consultation**

4. In accordance with the requirements of the Constitution, the Calling-In Members will be invited to attend and/or speak at the Calling-In meeting, as appropriate.

### **Options**

5. The following options are available to SMC (Calling-In) in relation to dealing with this call-in, in accordance with the constitutional and legal requirements under the Local Government Act 2000:

(a) To confirm the decisions of the Executive, on the grounds that the SMC (Calling-In) does not believe there is any basis for reconsideration. If this option is chosen, the decisions will take effect from the date of the SMC (Calling-In) meeting.

(b) To refer the matter back to the Executive, for them to reconsider their original decisions. If this option is chosen, the matter will be re-considered at a meeting of the Executive (Calling-In) to be held on 8 December 2009.

### **Analysis**

6. Members need to consider the reasons for call-in and the basis of the decisions made by the Executive and form a view on whether there are grounds for reconsideration of those decisions.

### **Corporate Priorities**

7. An indication of the Corporate Priorities to which the Executive's decisions are expected to contribute is provided in paragraphs 62-65 of Annex B to this report.

## Implications

8. There are no known financial, HR, Legal, Property, Equalities, or Crime and Disorder implications in relation to the following in terms of dealing with the specific matter before Members; namely, to determine and handle the call-in:

## Risk Management

9. There are no risk management implications associated with the call in of this matter.

## Recommendations

10. Members are asked to consider the call-in and reasons for it and decide whether they wish to confirm the decisions made by the Executive or refer the matter back for re-consideration at the scheduled Executive Calling-In meeting.

## Reason:

To enable the called-in matter to be dealt with efficiently and in accordance with the requirements of the Council's Constitution.

## Contact details:

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### Chief Officer Responsible for the report:

Alison Lowton  
Interim Head of Civic, Democratic and Legal Services

Report Approved  Date 24/11/09

**Specialist Implications Officer(s)** None

**Wards Affected:**

All

**For further information please contact the author of the report**

## Annexes

Annex A – decisions of the Executive on the Quality Contract item (extract from decision list published after the meeting on 17/11/09)  
Annex B – report to Executive meeting held on 17/11/09

## Background Papers

Agenda and minutes relating to the above meeting (published on the Council's website)