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

13 July 2009

Report of the Head of Civic, Democratic and Legal Services

**Called-in Item: The Annual Risk Management Report
2009**

Summary

1. This report sets out the reasons for the call-in of the decisions made by the Executive on 7 July 2009 in relation to a report providing information on the outcomes of the deployment of risk management arrangements across the Council over the past year and seeking approval of a revised risk management policy and strategy. The report also explains the powers and role of the Scrutiny Management Committee in relation to dealing with the call-in.

Background

2. An extract from the decision list published after the Executive meeting is attached as Annex A to this report. This sets out the decisions taken by the Executive on the relevant item. The original report to the Executive is attached as Annex B.
3. Following publication of the Executive's decision, Councillors Scott, Gunnell and Simpson-Laing called in the 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 as follows:-

“The Executive failed to take a decision on the issue of reducing parking charges as detailed in the first row of the table on page 138 (Annex A to the report to Executive).

The Executive has a duty to support the local economy and in not taking the decision to reduce car parking charges, has failed to do so.”

Consultation

4. In accordance with the requirements of the Constitution, the calling-in Members have been invited to attend and/or speak at the Call-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 decision takes effect from the date of the SMC (Calling-In) meeting;
 - (a) to refer the decision back to the Executive, for them to reconsider or amend in part their decision. If this option is chosen, the matter will be re-considered at a meeting of the Executive (Calling-In) to be held on 14 July 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 is a basis for reconsideration of that decision.

Corporate Priorities

7. An indication of the Corporate Priorities to which the Executive's decisions are expected to contribute is provided in paragraph 20 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 to the Executive 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.

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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 called-in item (extract from decision list published 7/7/09)

Annex B – report to Executive meeting held on 7/7/09