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

21 March 2011

Report of the Assistant Director, Governance and ICT

Called-in Item: Development of the Explore Vision in Libraries

Summary

1. This report sets out the reasons for the call-in of the decisions made by the Executive Member for Leisure, Culture and Social Inclusion on 8 March 2011 in relation to a report which detailed proposals to extend the 'Explore' vision across the whole of the City's library service. This covering 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 relevant Executive Member Decision Session is attached as Annex A to this report. This sets out the decisions taken by the Executive Member on the called-in item. The original report and annexes to the Executive Member Decision Session are attached as Annex B.
3. The Executive Member's decisions have been called in by Cllrs Crisp, Alexander and Simpson-Laing for review by the Scrutiny Management Committee (SMC) (Calling-In), in accordance with the constitutional requirements for call-in. The reasons given for the call-in are that:
 - *There has been a lack of pre-decision consultation with staff and library users;*
 - *No proper Equality Impact Assessment has been conducted;*
 - *The report is based on data, which is in some cases five years old and in others, at least a decade out of date;*
 - *The Executive is trying to carry out a consultation and the implementation of the decision concurrently;*
 - *The decision should not be taken so close to the purdah period - the Council should wait until the electorate's verdict in May before proceeding with such a far-reaching policy decision.*

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) Members 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 Member, on the grounds that the SMC (Calling-In) does not believe there is any basis for reconsideration. If this option is chosen, the original decisions will be confirmed and will take effect from the date of the SMC (Calling-In) meeting.
 - b. To refer the matter back to the Executive Member, for him to reconsider his original decisions. The reference back may include specific recommendations to the Executive Member. If this option is chosen, the matter will be reconsidered at a meeting of the Executive (Calling-In) to be held on 22 March 2011.

Analysis

6. Members need to consider the reasons for call-in and the report to the Executive Member and form a view on whether there is a basis to make specific recommendations to the Executive Member in respect of the report.

Corporate Priorities

7. An indication of the Corporate Priorities to which the Executive Member's decisions are expected to contribute is provided in paragraph 23 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 decision made by the Executive Member or refer the matter back for reconsideration and make specific recommendations on the report to the Executive Member for Leisure, Culture and Social Inclusion.

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:

Author:

Dawn Steel
Democratic Services Manager
01904 551030
email: dawn.steel@york.gov.uk

Chief Officer Responsible for the report:

Andrew Docherty
Assistant Director, Governance and ICT

Report Approved **Date** 11 March 2011

Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Annexes

Annex A – Decision of the Executive Member on the called-in item (extract from the decision list published on 8 March 2011).

Annex B – Report and associated annex to the Decision Session of the Executive Member for Leisure, Culture and Social Inclusion on 8 March 2011.

Background Papers

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