

Call-in of Cabinet Decision – Proposed Closure of Urchfont Manor

Purpose

1. To consider a call-in request of the Cabinet decision on the proposed closure of Urchfont Manor.

Background

2. Cabinet on 17 January considered a report by Carlton Brand, Corporate Director, which proposed the creation of a town centre customer access facility in Devizes and the closure of three buildings, which included Urchfont Manor (see [Appendix A](#)).
3. Following debate, which included public representation, Cabinet approved the recommendations of the Corporate Director with an additional recommendation in respect of securing continued community access as far as possible of the area around Urchfont Manor (see [Appendix B](#) – Minute Extract from the meeting).

Call-In

4. The provision for a call-in of an executive decision is set out in the Overview and Scrutiny Procedure Rules in the Council's Constitution. It is designed to be used in exceptional circumstances where members of the relevant scrutiny committee have evidence which suggests that the Executive did not take the decision in accordance with the principles of decision making as set out in the Constitution.
5. Formal notice was given within the prescribed period by Councillor Jeff Osborn, Chairman of the Organisation and Resources Select Committee, to call-in the decision. The reasons given were:
 - Consultation should be taken with interested parties where appropriate and practicable (*para 14.2 – Part 1 – Article 14 – Decision Making*).
 - All reports to the Cabinet from any member of the Cabinet or an officer on proposals relating to the budget and policy framework must contain details of the nature and extend of consultation with shareholders, advisory panels and relevant overview and scrutiny committees, and the outcome of that consultation. Reports about other matters will set out the the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration (*Para 25 – Part 7 – Cabinet Procedure Rules*).

- Reports must state that consultation has been carried out in accordance with the Council's consultation strategy or explain the reason for any divergence from the strategy (*Para 26 – Part 7 – Cabinet Procedure Rules*).

Full details of the Call-in request can be found under Appendix C.

6. A Call-in has to be considered by the relevant scrutiny committee within 5 working days. Arrangements were made, in consultation with the Chairman, to hold the meeting within the required timescale.
7. At the meeting itself Cllr Osborn, who called in the decision, will first be given the opportunity to explain the concerns he has. The Cabinet Member will then be invited to respond. Other members can then ask questions and debate the merits of the call-in.

The meeting is open to the public and therefore the provision for public participation applies. However questions and comment must relate to the particular issue of the call-in.

Matter for Decision

8. The Organisation & Resources Select Committee, after hearing the concerns, evidence and response, has to decide either:
 - (1) that it is satisfied by the response, takes no further action and informs the decision-maker (Cabinet) accordingly. The decision will then be implemented immediately;
 - or
 - (2) if it remains concerned, to refer the matter back to the decision-maker setting out in writing the nature of its concerns. The decision-maker is then required to reconsider the matter within 5 working days, amending the decision or not, before adopting a final decision.

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