

**To the Chair and Members of the  
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE**

**CALL IN OF THE FOLLOWING EXECUTIVE DECISION: Disposal of Housing Revenue Account (HRA) Land at Goodison Boulevard, Cantley, and the Acquisition of Gattison House and Plantation View.**

**EXECUTIVE SUMMARY**

1. This report provides the opportunity for the Overview and Scrutiny Management Committee (OSMC) to consider the Called-In decision relating to 'The disposal of Housing Revenue Account (HRA) Land at Goodison Boulevard, Cantley and the Acquisition of Gattison House and Plantation View. The Committee will be given the opportunity to consider the views expressed by those Members triggering the call-in and also any response from the Executive. Following its consideration of all relevant issues the Committee will agree its recommendations.

**EXEMPT REPORT**

2. This report contains no exempt information.

**RECOMMENDATIONS**

3. The Committee is asked to: -
  - a. Consider the reasons identified for call-in and determine the most appropriate course of action, this may include the following:
    - (i) Refer the decision back to the Executive for reconsideration in the light of the recommendations from the Committee.
    - (ii) Request that the decision be deferred until Overview and Scrutiny Management Committee or Panels have considered relevant issues and made recommendations to the Executive.
    - (iii) Take no action in relation to the called-in decision(s) but consider whether issues arising from the call-in need to be added to the work programme of an existing or new Overview and Scrutiny Sub-Committee.
    - (iv) If, but only if (having taken the advice of the Monitoring Officer and/or the Chief Finance Officer), the Committee determine that the decision(s) is wholly or partly outside the Budget and Policy Framework refer the matter, with any recommendations, to the Council after following the

procedure in Rule 8 of the Budget and Policy Framework Procedure Rules. Only in this case is there a continuing bar on implementing the decision.

## **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?**

4. This report provides an opportunity for Overview and Scrutiny to review Executive decisions before they are implemented thereby demonstrating enhanced accountability and transparency for Doncaster citizens.

## **BACKGROUND**

5. The reasons stipulated for calling-in the decision are detailed in the call-in form attached at Appendix A. The background to this decision is outlined in the Cabinet report (Appendix B) and Cabinet decision record attached at Appendix C. The Cabinet decision record also includes a number of questions that were asked at the Cabinet meeting's "Question Time" by other Members who were in attendance and the response that was given by the Mayor. This also includes details of information sent to Councillor Steve Cox after the Cabinet meeting in respect of a question that could not be answered at the meeting.
6. The call-in form was submitted within the timescale, 5pm on 20<sup>th</sup> October, 2016.

## **Reasons for Call-In**

7. The reasons for calling-in this decision are detailed in the call-in form attached. Please note that the signatures on the call-in form have been redacted as they would detail personal identifiable information.

## **Agreeing an Outcome**

8. Overview and Scrutiny Procedure Rule 9 sets out four specific courses of action, which OSMC may take when considering a called-in decision. The Committee may: -
  - (i) Refer the decision back to the Executive for reconsideration in the light of the recommendations from the Committee.

**This would require identifying any areas within the process or in respect of the decision, which could be improved, or submitting recommendations for alternative courses of action.**

- (ii) Request that the decision(s) be deferred until Overview and Scrutiny Management Committee or Panels have considered relevant issues and made recommendations to the Executive.

**OSMC may consider that the decision could be improved by further investigation of relevant issues to be conducted by the Committee or by the appropriate Overview and Scrutiny Panel. The Committee may wish to take account of any timescales, finance or other issues that are crucial to the decisions.**

- (iii) Take no action in relation to the called-in decision(s) but consider whether issues arising from the call-in need to be added to the work programme of an existing or new Overview and Scrutiny Sub-Committee.

**OSMC may consider that the call-in of this decision has identified issues which should be considered as part of its or one of the Overview and Scrutiny Panels' Work Plans. Consideration will need to be given to the potential impact this may have on OSMC or the relevant Panel in terms of delivering its agreed work plan. This may require a reprioritisation of issues in order to achieve this.**

- (iv) If, but only if (having taken the advice of the Monitoring Officer and/or the Chief Finance Officer), the Committee determine that the decision is wholly or partly outside the Budget and Policy Framework refer the matter, with any recommendations, to the Council after following the procedure in Rule 8 of the Budget and Policy Framework Procedure Rules. Only in this case is there a continuing bar on implementing the decision.

9. The Monitoring Officer and Chief Finance Officer have considered the issue and advised that the decision is within the Council's Budget and Policy Framework.

#### **OPTIONS CONSIDERED AND REASONS FOR RECOMMENDED OPTION**

10. The recommended courses of action available to OSMC are detailed within the Council's Constitution Overview and Scrutiny Procedure Rule 9 and these are detailed at paragraphs 8 of this report.
11. The completion and submission of the appropriate form by at least four elected Members (not all from the same political group) means that OSMC must meet to consider the called-in decision.

#### **IMPACT ON THE COUNCIL'S KEY OUTCOMES**

	<b>Outcomes</b>	<b>Implications</b>
	<p>All people in Doncaster benefit from a thriving and resilient economy.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Be a strong voice for our veterans</i></li> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul>	<p>The Overview and Scrutiny function has the potential to impact upon all of the council's key objectives by holding decision makers to account through call-in. This supports accountability within the Council's decision making arrangements thereby supporting strong governance and leadership.</p>
	<p>People live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Safeguarding</i></li> </ul>	

	<p>our Communities</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>	
	<p>People in Doncaster benefit from a high quality built and natural environment.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>	
	<p>All families thrive.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul>	
	<p>Council services are modern and value for money.</p>	
	<p>Working with our partners we will provide strong leadership and governance.</p>	

## **RISKS AND ASSUMPTIONS**

12. There are no specific risks associated with this report. Specific risks relating to the called in decision are identified in paragraph 30 of the report attached at Appendix B.

## **LEGAL IMPLICATIONS**

13. There are no specific legal implications associated with this report. The Legal implications associated with the decision are detailed in paragraph 31 of the report attached at Appendix B. Overview and Scrutiny Procedure Rule 9 within the Council's Constitution details the necessary steps involved in the Call In process.

## **FINANCIAL IMPLICATIONS**

14. There are no specific financial implications associated with this report. Financial implications associated with the Cabinet decision are contained within paragraph 32 of the report attached at Appendix B.

## **TECHNOLOGY IMPLICATIONS**

15. There are no specific technology implications associated with this report.

## **EQUALITY IMPLICATIONS**

16. The Equality Implications in respect of this decision are set out at paragraph 35 of the report attached at Appendix B.

## **CONSULTATION**

17. Consultation undertaken is set out in paragraph 36 of the report at Appendix B.

## **APPENDICES**

Appendix A – Call in form;

Appendix B – Cabinet Report 4<sup>th</sup> October, 2016 (including Appendix A and B); and

Appendix C - Cabinet Decision Record Form (including questions and answers).

## **BACKGROUND PAPERS**

The Council's Constitution

## **REPORT AUTHOR & CONTRIBUTORS**

Christine Rothwell, Senior Governance Officer – telephone 01302 735682

Email: [christine.rothwell@doncaster.gov.uk](mailto:christine.rothwell@doncaster.gov.uk)

Andrew Sercombe Governance and Member Services Manager, telephone: 01302 734354

Email: [Andrew.sercombe@doncaster.gov.uk](mailto:Andrew.sercombe@doncaster.gov.uk)

**Scott Fawcus**  
**Assistant Director of Legal and democratic Services**