

Subject:	Request for Call-in of the 12 November 2009 Cabinet Decision on “Three Year Strategic Grants 2010-2013: Decision on Full Bid Applications”		
Date of Meeting:	27 November 2009		
Report of:	The Director of Strategy and Governance		
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Wards Affected:	East Brighton		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To determine whether to ask the Cabinet to reconsider its decision in relation to the Three Year Strategic Grants 2010-2013, which was taken at the 12 November 2009 Cabinet meeting.
- 1.2 The following information is included in the appendices to this report:
 - (a) **Appendix 1** to the report contains the Call-In request;
 - (b) **Appendix 2** to the report contains an extract from the draft minutes from the Cabinet meeting of 12 November 2009;
 - (b) **Appendix 3** to the report contains the official record of the Cabinet’s decision on this matter;
 - (c) **Appendix 4** to the report contains the report from the Director of Strategy and Governance which was agreed at the 12 November 2009 Cabinet meeting (including any appendices published alongside the original report);
 - (d) **Appendix 5** to the report contains further information on this issue supplied by the Director of Strategy and Governance.

2. RECOMMENDATIONS:

- 2.1 (a) To note the decision taken by the Cabinet on November 12 2009 in relation to the Three Year Strategic Grants 2010-2013;
- (b) To note the subsequent Call-In request;
- (c) To note the additional information supplied by the Director of Strategy and Governance.
- 2.2 Having regard to the grounds for Call-In, to determine whether to refer the decision back to the Cabinet for reconsideration.

3. BACKGROUND INFORMATION

- 3.1 On November 12 2009 Cabinet approved the recommendations made by the cross party Members' Advisory Group for Grants (MAG) in relation to the Three Year Strategic Grants 2101-1013. These are discretionary grants that the Council makes to local 3rd Sector organisations.
- 3.2 On 16 November 2009, Councillors Gill Mitchell and Craig Turton wrote to the Chief Executive requesting that the Cabinet Decision be called in. The Call-In request is reprinted as **Appendix 1** to this report.
- 3.3 The Chief Executive accepted the Call-In request on 18 November 2009 and asked for a Call-in Meeting of the Overview & Scrutiny Commission to be called within seven working days.
- 3.5 Call-In is the process by which Overview & Scrutiny Committees can recommend that a decision made (in connection with Executive functions) but not yet implemented be reconsidered by the body which originally took the decision.
- 3.6 Call-In should only be used in exceptional circumstances, for instance where there is evidence that an important decision was not taken in accordance with Article 13 of the Council's constitution ('Decision Making').
- 3.7 An Overview & Scrutiny Committee examining a decision which has been Called-In does not have the option of substituting its own decision for that of the original decision. The Overview & Scrutiny Committee may only determine whether or not to refer the matter back to the original decision making body for reconsideration.
- 3.8 In determining whether to refer a decision back to its originating body for reconsideration, the Overview & Scrutiny Committee should have regard

to the criteria for Scrutiny reviews, as set out in the Council's constitution (Part 6.1, paragraph 4.2). In addition, the Committee should take into account:

- Any further information which may have become available since the decision was made
- The implications of any delay; and
- Whether reconsideration is likely to result in a different decision.

3.9 More information about the Call-In process is contained in the Council's constitution (Part 6.1, paragraph 16).

4. CONSULTATION

4.1 No formal consultation has been undertaken in regard to this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no direct financial implications to this report, although the 12 November 2009 Cabinet decision was made with regard to the financial implications contained within the original report of the Director of Strategy and Governance (see **appendix 4**). If the decision is referred back to Cabinet the impact of alternative proposals on the grant budget available would need to be considered.

Legal Implications:

5.2 If, having scrutinised the decision, the Commission is still concerned about it, the Commission may refer it back to Cabinet for reconsideration, setting out in writing the nature of its concerns.

If the decision is referred back to Cabinet, that body shall then consider, either at its next programmed meeting or at a special meeting called for the purpose, whether to amend the decision or not before reaching a final decision and implementing it.

Lawyer consulted: Oliver Dixon

Date: 20 November 2009

Equalities Implications:

5.3 There are no direct equalities implications to this report, although the 12 November 2009 Cabinet decision was made with regard to the equalities implications contained within the original report of the Director of Strategy and Governance (see **appendix 4**).

Sustainability Implications:

- 5.4 There are no direct sustainability implications to this report, although the 12 November 2009 Cabinet decision was made with regard to the sustainability implications contained within the original report of the Director of Strategy and Governance (see **appendix 4**).

Crime & Disorder Implications:

- 5.5 There are no direct crime & disorder implications to this report, although the 12 November 2009 Cabinet decision was made with regard to the crime & disorder implications contained within the original report of the Director of Strategy and Governance (see **appendix 4**).

Risk and Opportunity Management Implications:

- 5.6 The Call-In procedure seeks to provide a system via which important decisions can be re-examined in a timely fashion, so as to ensure that the Council is not unnecessarily exposed to risk associated with taking decisions contrary to established procedure, whilst also minimising risk inherent in unduly delaying the decision making process.

Corporate / Citywide Implications:

- 5.7 Strategic Grants are used to support and encourage 3rd sector organisations across Brighton & Hove in delivering key services for local communities. When allocating these grants, the Council should seek to ensure that it supports organisations whose aims are in accordance with the Council's priorities and with the partnership priorities detailed in the Local Area Agreement and the Community Strategy for Brighton & Hove.

SUPPORTING DOCUMENTATION

Appendices:

1. The request for Call-In;
2. An extract from the draft minutes of the 12 November 2009 Cabinet meeting;
3. The official record of the Cabinet decision in relation to this report;
4. The Director of Strategy and Governance's report to the 12 November 2009 Cabinet meeting: Three Year Strategic Grants 2010-2013: Decision on Full Bid Applications;
5. Additional information on this matter from the Director of Strategy and Governance.

Documents in Members' Rooms:

There are none.

Background Documents:

The Council's constitution (May 2008).

