

Item No: 2	Classification: OPEN	Date: 13 DECEMBER 2005	Meeting Name: OVERVIEW & SCRUTINY COMMITTEE
Report Title:		Call-In: Executive decision of 22 November 2005 in respect of Item 19 "Short Term Consultancy Support – Development Planning".	
Ward(s) or Group affected:		All Wards	
From:		Head of Overview & Scrutiny	

RECOMMENDATION

1. That Overview & Scrutiny Committee considers a call-in request relating to the key decisions taken by the Executive on 22 November 2005 in respect of Item 19 "Short Term Consultancy Support – Development Planning".

BACKGROUND INFORMATION

2. On 22 November 2005 the Executive approved the extension of the Short Term Consultancy Contract for development planning services that was awarded to Mouchel Parkman Services Limited in December 2004, so that the Council can continue to utilise the services provided under the Contract until such time as the Transport Planning and Street Scene Consultancy Services Term Contract is awarded and commences.
3. On 30 November 2005 the Chair of Overview & Scrutiny Committee - Councillor Kim Humphreys - and three members of the Committee (Councillors Barrie Hargrove, Fiona Colley and Andy Simmons) requested call-in of this decision [Appendix B]. The reasons given for the call-in request were as follows:

"Reason for call-in:

- *Protection of the Council's Resources*
- *Value for Money, and*
- *Evidence of disorganisation within the Council's Transport Group".*

4. The following documents are appended to this report, i.e.

Appendix A: Executive report [Items 19, 22 November 2005] ;

Appendix B: Minutes of Executive meeting 22 November 2005;

KEY ISSUES FOR CONSIDERATION

5. Requests for call-in should normally only be made if there is evidence that the Executive did not take a decision in accordance with the principles of decision making as set out in the Constitution:
 - Proportionality (i.e. the action must be proportionate to the outcome);
 - Due consultation and the taking of professional advice from Officers;
 - Respect for human rights;
 - Presumption in favour of openness;
 - Clarity of aims and desired outcomes;
 - The link between strategy and implementation must be maintained;

Decision-making generally, whether by individual Officers, individual Executive Members or the Executive collectively, should have reference to the policy framework and be in accordance with the budget.

6. The Overview and Scrutiny Procedure Rules require the Committee to consider any call-in request and in particular whether or not the decision might be contrary to the policy framework or not wholly in accordance with the budget. Advice should be sought from appropriate Chief Officers including the Monitoring Officer and the Chief Finance Officer.
7. If, having considered the decision and all relevant advice, the Overview & Scrutiny Committee is still concerned about it, then it may either:
 - refer it back to the decision-making body *[or officer to whom responsibility for that decision was delegated]* for reconsideration, setting out in writing the nature of its concerns; or
 - refer the matter to Council Assembly if the decision is deemed to be outside the policy and budget framework.
8. The Executive Member with relevant portfolio responsibilities has been advised of this meeting.

LEGAL & FINANCIAL IMPLICATIONS

9. Rule 18.6 of the Overview and Scrutiny Procedure Rules requires a call-in request to be signed by the Chair or Vice-Chair of the Overview and Scrutiny Committee plus three members of the Committee; the call-in request has been validly made in accordance with this rule.

BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
Executive Agenda, Reports and Minutes	Constitutional Team Town Hall, Peckham Road, London SE5 8UB	Everton Roberts Tel: 0207 525 7221
Record of key decisions taken under delegated authority	Constitutional Team Town Hall, Peckham Road, London SE5 8UB	Ian Millichap Tel: 0207 525 7225

Audit Trail

Lead Officer	Shelley Burke, Head of Overview & Scrutiny	
Report Author	Fitzroy Williams, Assistant Scrutiny Project Officer	
Version	Final	
Dated	02/12/2005	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	Yes	
Chief Finance Officer	No	
Strategic Director of Regeneration	No	
Executive Member	Yes	No