

<b>1 November 2023</b>		<b>ITEM: 5</b>
<b>Corporate Overview and Scrutiny Committee</b>		
<b>Call-in to Urgent Cabinet Decision 110676 - Resources to Support the Council's Budget</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Asmat Hussain, Director of Legal and Governance		
<b>Accountable Assistant Director:</b> N/a		
<b>Accountable Director:</b> Steven Mair, Chief Finance Officer/ Section 151 Officer		
<b>This report is</b> Public		

### **Executive Summary**

This report outlines the call-ins made to the above Cabinet decision, highlighting the reasons why the call-ins were made and the alternative proposals being put forward.

This report offers advice to the committee on how to manage the call-in through the committee process and should be used as a summary document to help understand the overview of this particular call-in.

#### **1. Recommendation(s)**

**That Committee can either:**

- 1.1 If it is concerned about the original decision in light of the call-ins, refer the recommendation (Urgent Cabinet Decision: Resources to Support the Council's Budget Process) to Cabinet for reconsideration, setting out in writing the nature of its concerns.**
- 1.2 If it considers the decision is contrary to the Budget or Policy Framework, refer the matter to the Council.**
- 1.3 Reject the call-in stating the reasons why.**

## **2. Introduction and Background**

2.1 On 17 October 2023 Councillors Kent and Speight separately called in an urgent Cabinet Decision: Resources to Support the Council's Budget Process, which had been tabled at Cabinet meeting on 11 October 2023. Councillor Kent (alongside Councillors Worrall and Watson) called the decision in in their capacity as three non-executive Members. Councillor Speight made the call-in as an individual elected member for a ward particularly affected by the decision.

### Councillor Kent Call-in

2.2 The reason for making the call in (in accordance with Chapter 4, Part 3, Rule 10.4 of the Constitution) has been cited as a failure of the decision maker to take the decision in accordance with the following decision-making principles:

- Proportionality – this means the action must be proportionate to the desired outcome
- Consistency with the council's budget and policy framework

2.3 The call-in was agreed as a valid call-in in accordance with the rules set out within Chapter 4, Part 3 of the Councils Constitution

2.4 The alternative proposal stated on the call in form is:

- Work to identify budget savings should continue to be carried out by council officers and members.

### Councillor Speight Call-in

2.5 The reason for making the call in (in accordance with Chapter 4, Part 3, Rule 10.4 of the Constitution) has been cited as a failure of the decision maker to take the decision in accordance with the following decision-making principles:

- Due regard for the individuals and communities served by Thurrock Council.
- Due Consultation in line with the council's consultation strategy.
- A presumption in favour of openness
- Clarity of aims and desired outcomes – the link between strategy and implementation
- Consistency with the council's budget and policy framework

2.6 The call-in was agreed as a valid call-in in accordance with the rules set out within Chapter 4, Part 3 of the Councils Constitution

2.7 No alternative proposal was provided.

### **3. Issues, Options and Analysis of Options**

3.1 When considering the call-in, the Committee is recommended to adhere to the following schedule:

- The person who made the call-in to briefly introduce the reasons for the call-in and their alternative proposal(s).
- The portfolio holder and officers to respond to the call-in and advise the Committee of any points that may be relevant.
- If applicable, the Committee should receive comments from third parties that may be directly involved in the original cabinet decision.
- The person who made the call-in to summarise.
- The Committee should then weigh up evidence and ask any relevant questions to those in attendance.
- The Committee should decide to do one of the following:
  - a) if it is concerned about the original decision in light of the call-in, refer it to the decision maker (Cabinet) for reconsideration, setting out in writing the nature of its concerns; or
  - b) reject the call-in stating the reasons why.
  - c)

### **4. Reasons for Recommendation**

4.1 The Committee are requested to manage the call-in in accordance with the provisions set out in Chapter 4, Part 3 of the Constitution.

### **5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 Not applicable.

### **6. Impact on corporate policies, priorities, performance and community impact**

6.1 The call-in has a positive impact on corporate policies as it allows for the proper exercise of the democratic function, namely for Members to call-in a Cabinet decision based on valid arguments.

6.2 The role of Overview and Scrutiny in this function will allow for issues to be discussed in a public arena with cross party involvement and will give the opportunity for interested parties to join the debate and make representations

## 7. Implications

### 7.1 Financial

Implications verified by: **Karen Ind**  
**Management Accountant, Corporate Finance Team**

The financial implications of the decision are set out in the original report which is attached as Appendix 1 to this report.

If this decision is not agreed then it risks delaying the development and implementation of £5.25m recurrent revenue budget savings for 24/25, which make up 29% of the savings targeted for next year. Should this work not progress then the £5.25m savings would be at serious risk of not being developed and thus the Council would be unlikely to identify the full £18.2m of savings for next year. The impact would be to set back the financial recovery of the Council and the longer term aim of financial sustainability and could potential hinder long-term assistance from DLUHC.

### 7.2 Legal

Implications verified by: **Jayne Middleton-Albooye**  
**Interim Head of Legal Services and Deputy Monitoring Officer**

There are no specific legal implications directly arising from the recommendations beyond the procedural matters cited at the start of this report. The Council Constitution provides for Call-In of Cabinet decisions in Chapter 4, Part 3, Rule 10.

### 7.3 Diversity and Equality

Implications verified by: **Roxanne Scanlon**  
**Community Engagement and Project Monitoring Officer | Adults, Housing & Health**

There are no direct equality implications arising from this call in. Any alternative proposals would need to be reviewed and a Community Equality Impact Assessment completed to identify any equality implications. Any implications identified through this process would be stated as part of the proposals.

### 7.4 Other implications (where significant) – i.e. Staff, Health Inequalities, Sustainability, Crime and Disorder, or Impact on Looked After Children

None

**8. Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

None

**9. Appendices to the report**

- Appendix 1: Urgent Report from Cabinet - 11 October 2023
- Appendix 2: Excerpt from the minutes of the Cabinet meeting 11 October 2023
- Appendix 3: Call-In form Councillor J Kent
- Appendix 4: Call-in form Councillor Speight

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