

**OVERVIEW AND SCRUTINY
COMMITTEE****15 AUGUST 2023****Receipt of a 'Call-In' – Relevant Procedure (Archbishops
Palace Decision)**

Timetable	
Meeting	Date
Overview and Scrutiny Committee	15 August 2023
Council (if applicable)	To be confirmed.
Cabinet (if applicable)	To be confirmed.

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Cabinet
Lead Director	Angela Woodhouse, Director of Strategy, Insight & Governance
Lead Officer and Report Author	Oliviya Parfitt, Principal Democratic Services Officer
Classification	<p>Public report, with an Exempt Appendix (3b).</p> <p>The information contained within Appendix 1 is considered exempt under the following paragraph of Part I of Schedule 12A to the Local Government Act 1972:-</p> <p>3= Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>The exempt information is the same as that provided to the relevant Policy Advisory Committee and Cabinet ahead of the Archbishops Palace decision.</p>
Wards affected	High Street Ward

Executive Summary

This report outlines how the call-in received will be facilitated at the meeting, in accordance with the requirements of the Constitution and best practice.

Purpose of Report

Decision

This report makes the following recommendations to the Committee:

That the decision relating to the Archbishops Palace be considered against the call-in request received, as shown in Appendix 1 to the report.

Receipt of a 'Call-In' – Relevant Procedure (Archbishops Palace Decision)

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>We do not expect this report's recommendation to materially affect achievement of corporate priorities.</p> <p>The impact on corporate priorities in relation to the decision being called-in can be found in Appendix 3 to the report.</p>	Chief Executive
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The impact on corporate priorities in relation to the decision being called-in can be found in Appendix 3 to the report.</p>	Chief Executive
Risk Management	<p>No impact identified for the purposes of this report.</p> <p>The risk associated with the decision being called-in can be found in Appendix 3 to the report.</p>	Chief Executive
Financial	<p>No additional financial implications arising identified from this report.</p> <p>The financial implications of the decision</p>	Chief Executive/Director of Finance, Resources and

	being called-in can be found in Appendix 3 to the report.	Business Improvement
Staffing	<p>The call-in will be facilitated with the support of the Democratic Services Team.</p> <p>The staffing implications of the decision being called-in can be found in Appendix 3 to the report.</p>	Chief Executive
Legal	<p>The Local Government Act Section 9(F) as amended by the Localism Act 2011, requires that where a Local Authority operates under an Executive Governance System there must be at least one Overview and Scrutiny Committee that is able to:</p> <ul style="list-style-type: none"> • 'Review or scrutinise decisions made' and • Make 'reports or recommendations' to the Executive on the discharge of executive functions (LGA 2000, Section 9F (1-2)) <p>Therefore, the call-in and review of the decision made by the Cabinet and any alternative recommendations produced as a result, is within the Committee's statutory powers.</p>	Team Leader (Planning) and Monitoring Officer
Information Governance	<p>No impact identified from this report.</p> <p>Any information governance implications arising from the decision being called-in can be found in Appendix 3 to the report.</p>	Information Governance Officer
Equalities	<p>No impact identified from this report.</p> <p>Any equalities implications arising from the decision being called-in can be found in Appendix 3 to the report.</p>	Equalities & Communities Officer
Public Health	<p>No impact identified from this report.</p> <p>Any effects on public health arising from the decision being called-in can be found in Appendix 3 to the report.</p>	Democratic Services Officer
Crime and Disorder	No impact identified from this report.	Chief Executive

	Any crime and disorder governance implications arising from the decision being called-in can be found in Appendix 3 to the report.	
Procurement	No impact identified from this report. Any procurement implications arising from the decision being called-in can be found in Appendix 3 to the report.	Chief Executive
Biodiversity and Climate Change	No impact identified from this report. Any biodiversity and climate change implications arising from the decision being called-in can be found in Appendix 3 to the report.	Chief Executive

2. INTRODUCTION AND BACKGROUND

2.1 At its meeting on the 26 July 2023, the Cabinet made the following decision:

1. *Option 2 of the report, namely to develop plans for use of the Palace as a wedding and events venue be agreed;*
2. *Delegated authority be given to the Director of Finance, Resources and Business Improvement in consultation with the Cabinet Member for Corporate Services to select and appoint professional advisers to develop the plans, enter into contracts for applicable services as necessary, and to invite offers from potential operations for a conditional agreement for lease; and*
3. *Delegated authority be given to the Head of Legal Services to negotiate and complete all necessary legal formalities arising from the purchase of services and invitation for offers as set out above.*

2.2 The Record of Decision was published on 26 July 2023, with the call-in period set to expire on the 4 August 2023; during this time a call-in request was received. This is attached at Appendix 1 to the report, following its acceptance by the Proper Officer.

For information, the only constitutional requirements that must be met in submitting a call-in request are as follows:

'Such a request must be made in writing and must state the reason the call-in is believed to be necessary, and the desired outcome of the decision's review' (Part C2, Rule 13.4, 13.4.3 (b)).

The Constitution also states that:

'At the meeting, the Members calling in the decision should make themselves available for questioning and will be able to take part in the

debate as non-voting Members of the Committee if they are not a Member of the Committee’ (Part C2, Rule 13.4, 13.4.4).

2.3 The options available to the Committee in reviewing the decision made are outlined below, with a table underneath demonstrating the resulting actions from each option.

- a) Agree that no further action is required; OR
- b) Recommend an alternative decision for consideration by the Executive;
OR
- c) Recommend that the decision be reviewed by Full Council.

OSC Options	Next Steps	Decision Implementation
Review original decision made and agree that no further action is required.	No further action required.	Cabinet Informed. Decision to be implemented straight after the Overview and Scrutiny Meeting.
Recommend an alternative decision to the Cabinet.	Cabinet to consider alternative decision. Either the original decision remains, or an amended decision is issued.	Decision implemented straight after the Cabinet’s re-consideration. (Decision is final)
Recommend that the decision be reviewed by Full Council.	Council review the decision and either agree with the original decision or recommend an alternative decision. Cabinet to consider alternative decision; either the original decision remains, or an amended decision is issued.	Decision implemented after the Cabinet’s re-consideration. (Decision is final)

2.4 The information relating to the Cabinet’s decision has been included within the appendices to this report.

3. AVAILABLE OPTIONS

3.1 Option 1 – Agree that no further action is required.

In this instance, the Cabinet will be formally informed with the original decision to be implemented immediately following the Overview and Scrutiny Committee Meeting.

3.2 Option 2 – Recommend an alternative decision to the Cabinet.

In this instance, the Cabinet will receive formal notification of the Committee’s recommendations at its next meeting (likely an additional meeting). The Committee must include the nature of its concerns to supplement the alternative decision.

The Cabinet will consider the recommendations made by the Committee and either the original decision or an amended decision will be issued as a result. Once this has taken place, the decision reached is final and will not be subject to call-in.

3.3 Option 3 – Recommend that the decision be reviewed by Full Council.

In this instance, the Committee would refer the decision to the full Council. The Council would then be able to:

- d) Agree that no further action is required; OR
- e) Recommend an alternative decision for consideration by the Executive;

However, similarly to the Overview and Scrutiny Committee, the Council can only advise the Cabinet on which course of action to take. As the original decision made relates to an executive function (Corporate Property Management), the Cabinet is the final decision-maker.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 There is no preferred option from an Officer perspective, as this report aims to support the Committee in reviewing the Cabinet decision submitted for Call-In.
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5. RISK

- 5.1 This report is presented for information only and has no risk management implications.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 This Committee has not previously considered the matter. In accordance with the Council’s governance arrangements, the Corporate Services Policy Advisory Committee (CS PAC) conducted the pre-decision scrutiny on the item (12 July 2023), before the issue was presented to the Cabinet for decision.
- 6.2 The relevant papers for the CS PAC agenda can be accessed using the link at Section 9 of the report.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Given the number of options available, the next steps depend on the option chosen by the Committee. See section 3 for the resulting actions for each option.
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8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Call-In Request
 - Appendix 2: Record of Decision (Cabinet)
 - Appendix 3: Papers provided to the Cabinet for the 26 July 2023 Meeting.
 - 3a: Report; and
 - 3b: Appendix (Exempt)
 - Appendix 4: Excerpt (draft) of the Minutes of the Corporate Services Policy Advisory Committee Meeting held on 12 July 2023.
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9. BACKGROUND PAPERS

Agenda Papers for the Corporate Services Policy Advisory Committee Meeting held on 12 July 2023:

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