

COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE (SPECIAL)

FRIDAY 22 AUGUST 2003 AT 2.50pm

PRESENT: Councillor E Mallinson (Chairman); Councillors Boaden, Earp, Fisher, Hendry, Hodgson, Parsons and K Rutherford.

ALSO PRESENT: Councillor Mitchelson (Leader of the Council).

COS.74/03 DECLARATIONS OF INTEREST

There were no declarations of interest.

COS.75/03 CALL-IN – REGIONAL GOVERNMENT - UPDATE

Councillors Boaden, Hendry and K Rutherford had called in for scrutiny Executive decision EX.182/03 on Regional Government Update. A copy of the Decision Notice and Report CE.13/03 had been circulated to Members.

The decision in EX.182/03 was as follows:-

- "1. That the progress with respect to the submission of a response to the Boundary Committee on Regional Government by the deadline of 8 September 2003 be noted.
2. That the brief given to the University of Northumbria (CRED) as detailed at Appendix 3 to Report CE.13/03 be noted.
3. That it is noted that an informal meeting of the Council is to be held on 7 August 2003 to allow senior representatives from the Boundary Committee to inform Members of the process.
4. That it is noted that the CRED report, along with the draft submission, will be presented to a special meeting of the Executive and a combined meeting of the four Overview and Scrutiny Committees for consideration.
5. That the submission be prepared on a joint basis with Eden District Council as both Councils had the same policy on the future structure of local government in Cumbria. It was noted that a meeting of all six District Councils in Cumbria was to be held on 7 August 2003 and the outcome of that meeting may provide scope for a joint submission to be made by all six District Councils in Cumbria to the Boundary Committee.
6. That the arrangements made for a special meeting of the City Council on 4 September 2003 to endorse the final submission be noted."

The reasons given by the Members for the call-in were as follows:-

"Lack of consultation with the electorate."

Members had been given the opportunity to question Councillor Mitchelson, Leader of the City Council over the Executive's decision at a combined Overview and Scrutiny meeting held prior to this meeting.

In dealing with a call-in, the Committee can:

1. Refer the matter back to the decision maker, in this case the Executive, for reconsideration setting out in writing the nature of its concerns;
2. Refer the matter to full Council;
3. Not refer the matter back to the decision maker, in which case the decision shall take effect from the date of this meeting.

RESOLVED – It was moved by Councillor Boaden and seconded by Councillor Hendry as follows:

"That the matter be referred back to the Executive for reconsideration because of the reasons for call-in set out in the Agenda papers ie:

1. Lack of consultation with the electorate and
2. The decision to prepare the submission on a joint basis with Eden District Council prejudices the outcome of CRED research, consultation and the joint meeting of Overview and Scrutiny Committees. It demonstrates an entrenched and inflexible attitude by only being prepared to make a submission in partnership with another Authority whose policy mirrors that of the minority ruling group. Such an attempt to bias a response and disregard the views of others will result in an unrepresentative submission."

It was moved, by way of amendment, by Councillor Earp, and seconded by Councillor Fisher, that the decision should not be referred back to the Executive.

Following discussion, the amendment proposed by Councillor Earp was duly carried.

(The meeting ended at 3.05 pm)