

## Scrutiny Committee

Meeting to be held on 14 November 2013

Electoral Division affected: None
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## Membership of the Board of One Connect Limited

Appendix 'A' refers

Contact for further information:

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### Executive Summary

On 6 November 2013 the Leader of the Council received a report on the membership of the Board of One Connect Limited (attached as Appendix A). After considering the report the Leader decided:

"to authorise the County Secretary & Solicitor to take all actions necessary to give effect to the proposals set out in the report in relation to the County Council's nominations to the Board of One Connect Limited (OCL)."

Following requests from five County Councillors in accordance with the Overview and Scrutiny "Call In" procedures, the Chair has called a special meeting of the Committee to consider calling in the above decision.

### Recommendation

In accordance with the Call In procedures contained in Procedural Standing Orders (Standing Order 23 and Appendix 3) the Committee is asked to consider:

1. Whether or not to request the Leader to reconsider the decision made on 6 November 2013 to authorise the County Secretary & Solicitor to take all actions necessary to give effect to the proposals set out in the report in relation to the County Council's nominations to the Board of One Connect Limited (OCL).
2. If the Committee decide to request that the decision should be called in then to determine the grounds on which the request is to be based.

### Background and Advice

On 6 November 2013 the Leader of the Council received a report on the membership of the Board of One Connect Ltd. A copy of the report is attached as Appendix A.

After considering the report the Leader decided:

"to authorise the County Secretary & Solicitor to take all actions necessary to give effect to the proposals set out in the report in relation to the County Council's nominations to the Board of One Connect Limited (OCL)."

On 8 November 2013 the Chief Executive received a request, signed by five County Councillors, for the Scrutiny Committee to consider whether that decision should be the subject of a Call In. The request was received in accordance with Procedural Standing Orders from County Councillors David O'Toole, Alf Clempson, David Stansfield, Geoff Driver and Albert Atkinson and means that the decision taken on 6 November 2013 cannot now be implemented until the call-in procedure is completed.

The reason given for the request as submitted by the above Members was:

"Concern that the outcome of the decision will be to leave no elected representatives as members of the Board of One Connect Ltd"

To assist the Committee, the Call In procedures contained in Procedural Standing Orders (Standing Order 23 and Appendix 3) are summarised below:

- Any five County Councillors may, within three days of an executive decision being published, request that a special meeting of the relevant Overview and Scrutiny Committee be convened to consider that decision.
- The executive decision shall not be implemented until the Call In procedure is completed.
- An O&S Committee may request that an executive decision made but not yet implemented be reconsidered by the Decision Maker, or request that the Full Council decide whether to ask the Decision Maker to reconsider.
- The Committee must decide at the meeting whether or not to exercise its Call In powers.
- Any such request for reconsideration shall include the grounds upon which the request is based.
- Once the Committee has determined to make such a request, the request and the grounds upon which it is based must be registered with the Chief Executive in writing within three clear working days of the O&S Committee.
- If a request is made the Decision Maker must then reconsider the decision having regard to the grounds upon which it is based. The Decision Maker can affirm, amend or rescind their decision.

- The Decision Maker shall publish their response to a request for reconsideration and the reasons for their decision by writing as soon as is reasonably practicable to the Chair of the relevant Overview and Scrutiny Committee.
- The Decision Maker can only be required to reconsider the same decision once.
- An Overview and Scrutiny Committee shall not exercise its functions;
  - (1) where the decision has been designated by the Decision Maker as being urgent in that any delay in its implementation could adversely affect the efficient execution of the County Council's responsibilities; or
  - (2) in respect of day-to-day management and operational decisions taken by officers.

Of particular relevance in the above provisions are the requirements that the Committee must determine at the meeting whether or not to request that the decision be reconsidered, and if so to determine the grounds upon which the request is to be based.

The Committee is required to meet within seven working days of the request being received in order to consider the call and following consultations with the Chair and Deputy Chair a special meeting has been arranged for 14 November 2013 at 2pm in Cabinet Room B – The Diamond Jubilee Room at County Hall, Preston.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

There are no significant risk management implications arising from this item. However, the risk management and other implications associated with the decision are set out in Appendix A to this report.

### **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

### **Reason for inclusion in Part II, if appropriate:**

N/A