

## Scrutiny Committee

Meeting to be held on Tuesday 12 May 2015

Electoral Division affected: All
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### **The Harris Museum and Art Gallery (The Harris) - Shared Services Initiative** (Appendix 'A' refers)

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#### **Executive Summary**

On 28 April 2015, the Cabinet Member for Environment, Planning and Cultural Services considered a report on 'The Harris Museum and Art Gallery (The Harris) - Shared Services Initiative'. The Cabinet Member made a decision to:

- (i) Authorise expenditure of up to £120,000 as the County Council's contribution to the cost of appointing a Centre Manager for a fixed term period of three years;
- (ii) Approve the scope and objectives of the initiative as detailed in the report.

Following requests from five County Councillors in accordance with the "Call In" procedures, the Chair has called a meeting to consider calling in the 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:

- (i) Whether or not to request the Cabinet Member for Environment, Planning and Cultural Services to reconsider the decision made on 28 April 2015 to approve the recommendations set out in the report;
- (ii) If so, to determine the grounds on which the request is to be based.

#### **Background and Advice**

On 28 April 2015, the Cabinet Member for Environment, Planning and Cultural Services received a report on the Harris Museum and Art Gallery Shared Services Initiative. The Cabinet Member made a decision to approve the recommendations in the report as follows:

- (i) Authorised expenditure of up to £120,000 as the County Council's contribution to the cost of appointing a Centre Manager for a fixed term period of three years;

- (ii) Approved the scope and objectives of the initiative as detailed in the report.

The report to the Cabinet Member is attached as Appendix 'A'.

On 30 April 2015, 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 Atkinson, Cheetham, Driver, Smith and Stansfield. The decision cannot now be implemented until the call-in procedure is completed.

The reason for this request as submitted by the above Members is:

"It's an unbudgeted proposal on an item which is the responsibility of Preston City Council. There is a lack of detail re the proposed staffing"

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 O&S committee is convened to consider that decision.
- That 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 meeting.
- 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 based.

The Committee is required to meet within 7 working days of the request to consider the call in being received, and a special meeting has therefore been scheduled for Tuesday 12 May 2015 at 10am.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

There are no significant risk management implications arising from this report. However, any 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