

Time Commenced – 18:00  
Time Finished – 19:42

## **Corporate Scrutiny and Governance Overview and Scrutiny Board**

**1 March 2016**

**Present:** Councillor Stanton (Chair)  
Councillors Bayliss, Carr, Dhindsa, Jackson, J Khan,  
Poulter, Webb, Whitby and Williams

**In attendance:** Councillors Ashburner, Barker, M Holmes, Naitta, Repton,  
Roulstone and Skelton

**Officers present:** Andy Smith (Strategic Director of People Services),  
Pervvez Sadiq (Acting Strategic Director of Adults and  
Health), Kirsty Everson (Acting Director of Integration and  
Direct Services), Ian Chennery (Voluntary and  
Community Sector Partnership Manager), Clare Harrison  
(Democratic Services Manager), David Walsh (Head of  
Democracy)

### **82/15 Apologies for Absence**

There were none.

### **83/15 Late Items**

There were no late items.

### **84/15 Declarations of Interest**

Councillors Dhindsa, J Khan and Williams declared that they held positions with voluntary sector organisations within the city. Councillor J Khan's was a disclosable pecuniary interest on the basis that the organisation he represented would be affected by the Council Cabinet decision called-in and on the agenda for the meeting.

### **85/15 Meeting procedure for call-in of Council Cabinet decision**

The Chair introduced the procedure and advised members that he would be varying it to ensure all call-in signatories had fair opportunity to present their case. The Chair advised that he had agreed to allow a representative of a voluntary sector organisation to make a representation to the board.

### **86/15 Call-in of Council Cabinet decision 148/15**

The board received a report which had been considered by Council Cabinet on 10 February in respect of council funding for services in the voluntary,

community and faith sector. In addition to reports by the Cabinet Member for Adult Health and Care and the Acting Strategic Director for Adults and Health, a minute extract of the decision taken by Council Cabinet, including approval of those reports and recommendations by the Corporate Scrutiny and Governance Overview and Scrutiny Board, was considered. The board also received two call-in notices in relation to the decision – the first submitted by Councillors Ashburner, Naitta and Skelton, and the second by Councillors Barker, M Holmes and Roulstone.

Signatories to the first call-in notice addressed the board and highlighted the parts of the council decision-making process which they alleged to have been breached, namely: (a) proportionality, (b) due consultation, (c) respect for human rights, (e) clarity of aims and desired outcomes and 'other', that the 'bigger picture' had been ignored.

Signatories to the second call-in notice addressed the board and highlighted the parts of the council decision-making process which they alleged to have been breached, namely: (a), (b), (c), (e) and (f) a record of what options were considered and giving reasons for the decision.

The Council Cabinet member for Adult Health and Care, supported by the Acting Strategic Director for Adults and Health, responded to the call-in signatories' submissions and provided reasons why they felt the decision taken by Council Cabinet had complied with the council's decision making principles.

Members of the board were given an opportunity to ask questions of all parties.

The Chair invited Matt Allbones, of Community Action Derby, an organisation affected by the decision taken by Council Cabinet, to address the board. Mr Allbones provided reasons why he felt there had been a breach of the decision-making principles.

Councillor Skelton summed up on behalf of signatories to the first call-in notice, Councillor M Holmes summed up on behalf of signatories to the second call-in notice and Councillor Repton summed up on behalf of Council Cabinet.

The Chair notified members that he would be asking each member of the board in turn to vote on whether they felt there had been a breach of the council's decision-making principles and to identify which principles had been breached.

Having declared a disclosable pecuniary interest, Councillor J Khan advised the Chair that he would not be taking part in the vote and left the room before members' made their final submissions.

**Resolved that in making decision 148/15, Council Cabinet had not breached the council's decision-making principles.**

MINUTES END