

ENVIRONMENT CAPITAL SCRUTINY COMMITTEE	Agenda Item No. 3
23 FEBRUARY 2010	Public Report

Report of the Solicitor to the Council

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REQUEST FOR CALL-IN OF AN EXECUTIVE DECISION: BUS SERVICE REVIEW

1. PURPOSE

- 1.1 To consider a request to call-in an executive decision made by the Cabinet.

2. RECOMMENDATIONS

- 2.1 That the Environment Capital Scrutiny Committee considers a request to call-in a decision taken by the Cabinet in respect of the Bus Service Review.

3. BACKGROUND

- 3.1 On 8 February 2010, the Cabinet made an executive decision relating to the Bus Service Review. In accordance with the Constitution this decision was published on 10 February 2010.

- 3.2 On 15 February, Councillors David Day, Judy Fox and Nick Sandford submitted a request to call-in this decision on the following grounds:

(i) The decision does not follow the principles of good decision making set out in Article 12 of the Council's Constitution, specifically that the decision maker did not:

- (a) realistically consider all alternatives and, where reasonably possible, consider the views of the public; and
- (b) follow procedures correctly and be fair.

- 3.3 A copy of the request to call-in is attached at Appendix 1 and a copy of the report considered by the Cabinet is attached at Appendix 2.

- 3.4 After considering the request to call-in and all relevant advice, the Committee may either:

- (a) not agree to the request to call-in, when the decision shall take effect;
- (b) refer the decision back to the decision maker for reconsideration, setting out its concerns; or
- (c) refer the matter to full Council.

4. IMPLICATIONS

- 4.1 Any implications are contained within the Cabinet report at Appendix 2.

5. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

None

6. APPENDICES

Appendix 1 – Request to Call-In Decision

Appendix 2 – Report Considered by the Cabinet

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