

**SUPPLEMENTARY REPORTS FOR  
COUNCIL  
7.30 pm on Thursday 15 July 2021  
In the Council Chamber, Civic Centre**

The attached documents are due to be considered at the meeting listed above and were unavailable for circulation when the agenda for the meeting was published. The agenda item to which the documents relate is noted below.

**AGENDA**

10. References from Cabinet and Committees

- b) Referral from Scrutiny Committee - Annual Report of the Scrutiny Committee 2020/21 (Pages 2 - 3)

The Scrutiny Committee recommended to Full Council that it notes the report.

- c) Referral from Scrutiny Committee - Call In Sub Committee Procedures (Pages 4 - 7)

The Scrutiny Committee recommended to Full Council that the procedure for modifying or withdrawing a call in (attached as Appendix A to the report) be adopted and included in the Constitution.

**REPORT TO:** SCRUTINY COMMITTEE

**DATE:** 13 JULY 2021

**TITLE:** ANNUAL REPORT OF THE SCRUTINY COMMITTEE 2020/21

**LEAD OFFICER:** SIMON HILL, HEAD OF GOVERNANCE  
(01279) 446099

**CONTRIBUTING OFFICER:** ADAM REES, SENIOR GOVERNANCE SUPPORT OFFICER (01279) 446057

**RECOMMENDED that:**

**A** It is recommended to Full Council that it notes the report.

**BACKGROUND**

1. Following the review of the Council's overview and scrutiny functions the Scrutiny Committee's terms of reference were amended to require Full Council to receive an annual report from the Committee detailing the work it had carried out in the previous year.

**ISSUES/PROPOSALS**

2. Despite the pandemic, the Committee was able to carry out two substantial reviews. The first of which was the review of the Council House Building Programme, the recommendations of which were approved by Cabinet in March. These recommendations were wide ranging and include the adoption of the Housing Strategy which is currently being considered by the Cabinet Policy Development Working Group.
3. The Committee has also carried out a review into accommodation for adults with a moderate/severe learning disability. The final report for this is being considered at this Committee meeting
4. The Committee was also able to finalise its review of the Council's overview and scrutiny functions and has carried out a question and answer session with Essex Police about a number of issues. This session highlighted the need to review domestic abuse and sexual harassment as part of the work plan for 2021/22.
5. The Call In Sub Committee also considered a call in for the Development of Options for a Harlow Metro System on 7 January 2021. The Sub Committee resolved that the decision would be released for implementation.

## **IMPLICATIONS**

### **Environment and Planning (Includes Sustainability)**

None specific.

**Author: Andrew Bramidge, Head of Environment and Planning**

### **Finance (Includes ICT, and Property and Facilities)**

None specific.

**Author: Simon Freeman, Head of Finance and Property and Deputy to the Chief Executive**

### **Housing**

None specific.

**Author: Andrew Murray, Head of Housing**

### **Community Wellbeing**

None specific.

**Author: Jane Greer, Head of Community Wellbeing**

### **Governance (Includes HR)**

As contained in the report.

**Author: Simon Hill, Head of Governance**

## **Appendices**

None.

## **Background Papers**

None.

## **Glossary of terms/abbreviations used**

None.

**REPORT TO:** SCRUTINY COMMITTEE

**DATE:** 13 JULY 2021

**TITLE:** CALL IN SUB COMMITTEE PROCEDURES

**LEAD OFFICER:** SIMON HILL, HEAD OF GOVERNANCE  
(01279) 446099

**CONTRIBUTING OFFICER:** ADAM REES, SENIOR GOVERNANCE SUPPORT  
OFFICER (01279) 446057

**RECOMMENDED that:**

- A** It is recommended to Full Council that the procedure for modifying or withdrawing a call in (attached as Appendix A to the report) be adopted and included in the Constitution

**BACKGROUND**

1. As required by law, the Council has a call in procedure for decisions taken by the Executive which have been agreed but not yet implemented. Call ins are considered by the Call In Sub Committee.
2. The Sub Committee can either release a decision, so it can be implemented, or refer the decision back to the decision taker for reconsideration. There are some decisions which are exempt from the call in procedures and these exemptions are detailed in the Constitution.
3. The call in procedure has been used rarely with the two most recent uses being in January 2021 and October 2015. This means there have only been two times where the procedures for dealing with call ins could be tested.
4. Following the January 2021 call in, the then Chair of the Call In Sub Committee requested that Officers look at ways of ensuring that the process for dealing with call ins allows for enough time for matters to be fully considered and to identify possible areas of agreement before the meeting takes place.

**ISSUES/PROPOSALS**

5. The procedure allowing the withdrawal or modification of call in (attached as Appendix A to the report) enables the Councillors calling in a decision to meet with the relevant portfolio holder.
6. This meeting will enable discussions about the reasons given for calling in the decision and whether the call in could be withdrawn or modified following this

meeting. Only the lead signatory of the call in can agree to it being modified or withdrawn.

7. This will enable the Call in Sub Committee to focus on issues which could not be resolved so the Sub Committee uses its time more effectively.

## **IMPLICATIONS**

### **Environment and Planning (Includes Sustainability)**

None specific.

**Author: Andrew Bramidge, Head of Environment and Planning**

### **Finance (Includes ICT, and Property and Facilities)**

None specific.

**Author: Simon Freeman, Head of Finance and Property and Deputy to the Chief Executive**

### **Housing**

None specific.

**Author: Andrew Murray, Head of Housing**

### **Community Wellbeing**

None specific.

**Author: Jane Greer, Head of Community Wellbeing**

### **Governance (Includes HR)**

As contained in the report.

**Author: Simon Hill, Head of Governance**

## **Appendices**

Appendix A – Procedure for Modifying or Withdrawing a Call In

### **Background Papers**

None.

### **Glossary of terms/abbreviations used**

None.

## Appendix A

### Withdrawal or Modification of Call In

1. The Council's requirements for Call In are set out within in the Scrutiny Procedure Rules in Part 4 of the Constitution. A valid call in can be withdrawn at any time by the lead signatory (the member calling in the decision).
2. Following a valid Call In, the lead signatory, or the relevant Portfolio Holder, may request a meeting with the Chair of the Call In Sub Committee prior to the Sub Committee taking place, in order to discuss:
  - 2.1. The potential removal of objections raised in the Call In request; or
  - 2.2. The withdrawal of the Call In; or
  - 2.3. Whether the Cabinet or Portfolio Holder decision could be amended to take account of objections; and
  - 2.4. The anticipated structure of the debate at the Call In Sub Committee.
3. The meeting with the Chair of the Call In Sub Committee will be arranged as soon as possible and will be attended by relevant Councillors, Chair of the Scrutiny Committee and Officers, including up to one additional supporting signatory of the Call In request. The following documents will be supplied to those in attendance:
  - 3.1. Documents considered by the Decision Taker;
  - 3.2. The Call In Notice; and
  - 3.3. Other relevant documentation.
4. The meeting will have the following procedure:
  - 4.1. The lead signatory presents their case and the reasons for Call In;
  - 4.2. The Portfolio Holder and the Chair of the Sub Committee may ask questions of the lead signatory;
  - 4.3. The Portfolio Holder will set out the reasons why the decision has been taken; and
  - 4.4. The signatories, and the Chair of the Sub Committee, may ask questions of the Portfolio Holder.

5. Having considered the representations, the Chair of the Sub Committee will consider whether there can be an agreement to withdraw or modify the Call In. The lead signatory will determine whether the Call In can be withdrawn or modified.
6. If it's agreed to modify the Call In request, the Sub Committee will be notified of the changes as soon as possible. Where it is withdrawn, all Councillors will be notified together with actions agreed by the decision taker if appropriate.
7. Where no agreement to withdraw the Call In is reached, the matter will still be referred to the Sub Committee within the timescales set out with the council constitution.