



Forest Heath
District Council

OVERVIEW AND SCRUTINY COMMITTEE
CALL-IN REQUEST FORM



St Edmundsbury
BOROUGH COUNCIL

To: **Assistant Director (HR, Legal and Democratic Services)**

I would like to call-in the decision as detailed below:

Decision making body (Cabinet or Portfolio Holder)

Date decision made:

PLANNING AND GROWTH
CLLR GLOSSOP CLLR STANBURY

28th FEB. 2019

What was the Decision made by Cabinet or Portfolio Holder:

THAT HAVERHILL BE THE APPLICANT
FOR THE "HIGH STREET FUND"

If the reason for the call-in is that the decision was outside the Budget Policy Framework Procedure Rules, please give an explanation

WE IN BRANDON WERE NOT GIVEN THE OPPORTUNITY
TO MAKE A CASE FOR FUNDING.
THE PROCESS WAS FLAWED

What action would you like to see the Cabinet / Portfolio Holder take to address the concerns outlined in the call-in, or what needs to be done to strengthen their decision?

TO REVERSE THE DECISION BECAUSE OF BRANDON'S
GREATER NEEDS

At what stage did you inform the Portfolio Holder or the Leader of the Council that you had concerns over this planned decision? If not a planned decision (that is if the decision did not appear on the Decisions Plan), what attempts did you make to speak to the Portfolio Holder before calling in the decision?

I INFORMED THE PORTFOLIO HOLDERS ON THE 27th FEB
AND RECEIVED A REPLY FROM CLLR GLOSSOP 2nd MARCH
INFORMING ME THAT JONATHAN MILES (GROWTH OFFICER)
WOULD BE GIVING ME AN EXPLANATION, WHICH I
WAS UNHAPPY WITH, I WANT A REPLY FROM CLLR STANBURY

I HAVE HAD A REPLY FROM COUNCILLOR STANBURY
BUT IT FALLS SHORT OF EXPECTATIONS

Please state which of the principles for decision making set out in Article 12 of the Constitution has / have been breached (please tick)

		TICK
1	The decision was not reasonable within the common meaning of the word, ie it was not a rational decision based on sound judgement.	✓
2	The decision was not reasonable within the legal meaning of "reasonableness", ie all relevant considerations were not fully taken into account in reaching the decision and all irrelevant ones disregarded.	
3	In the case of 'quasi-judicial' decisions (ie a decision as to whether or not to grant a licence) a fair hearing was not conducted in accordance with the rules of natural justice to the person who was the subject of the decision.	
4	The decision was not proportionate (ie the action was not proportionate to the desired outcome).	
5	The decision was not taken on the basis of due consultation and professional advice from officers.	
6	Human rights were not respected and consideration was not given as to whether the decision would give rise to any implications under the Human Rights Act 1998 and the European Convention on Human Rights.	
7	The decision was not taken in compliance with Council's schemes of delegation, financial rules and instructions relating to contracts.	
8	When making the decision, a presumption in favour of openness was not applied and a clarity of aims and desired outcomes was not displayed.	✓
9	Careful consideration was not given as to whether there was an interest that should have been declared.	
10	In the case of an executive decision taken by the Cabinet, or an individual Member of the Cabinet, or an Officer (where the decision is closely connected with the Cabinet), a proper record of the decision was not made together with a record of the reasons for the decision, details of any alternative options considered and rejected and any conflicts of interest.	

Referring to the box(es) ticked above, please explain how the principles set out in Article 12 of the Constitution have not been met, and provide documentation or evidence, where appropriate to support the call-in:

WE WERE NOT CONSULTED AND OUR NEEDS WERE NOT FULLY CONSIDERED WHEN THE DECISION WAS MADE TO EXCLUDE US FROM THE APPLICATION. THERE IS A COMPLETE ABSENCE OF DOCUMENTATION TO SUGGEST THAT OUR NEEDS WERE FULLY EXPLAINED TO THE PORTFOLIO HOLDERS.

Suggested Witnesses (Internal / External) to be invited and their relevance to the call-in

N/A

Members calling in the decision (Call-in to be requested by any five members of the Council)

	Name of Councillor	Signed	Will you be attending the call-in meeting?
1	(Lead on Call-in) VICTOR LUKANIUK	<i>V. Lukaniuk</i>	YES.
2	CLLR PETER RICHARD RICKWELL	<i>[Signature]</i>	
3	DAVID PALMER	<i>DP</i>	Yes.
4	CHRISTINE MASON	<i>C Mason</i>	Yes.
5	CLLR ANDREW APPLEBY	VIA E-MAIL	yes.

Once completed, either by hand or electronically, please send to the Assistant Direct (HR, Legal and Democratic Services) **BY 5PM ON THE DEADLINE DATE PUBLISHED ON THE CABINET DECISION NOTICE**, otherwise the call-in will not be valid.

Amended: March 2015 (Constitutional Review)
Amended: November 2017 (Amendment made to Job Title)

Received on Thursday 7 March 2019, at 2-30pm.
CABIN
Scrutiny officer.