

Committee: Overview & Scrutiny	Date: 6 January 2015	Classification: Unrestricted	Report No. 5.1
Report of: Service Head, Democratic Services Originating Officer(s): Matthew Mannion, Committee Services Manager		Title: Cabinet Decision Called In: Savings Proposals: Public Health – Reconfiguration of sexual health services Wards: All	

1. SUMMARY

- 1.1 The attached report “10.2 Medium Term Financial Plan Update” was considered by the Mayor in Cabinet on 3 December 2014 and has been “Called In” in respect of the savings proposals that related to Sexual Health Services by Councillors Rachael Saunders, Shiria Khatun, Ayas Miah, Rachel Blake and Khales Uddin Ahmed. This is in accordance with the provisions of rule 16 of the Overview and Scrutiny Procedure Rules in Part 4 of the Council’s Constitution.

2. RECOMMENDATION

- 2.1 That the OSC consider the contents of the attached report, review the Mayor in Cabinet’s decision (provisional, subject to Call In) arising; and
- 2.2 Decide whether to accept the decision refer the matter back to the Cabinet with proposals, together with reasons.

3. BACKGROUND

- 3.1 The request (received 12 December 2012) to “call-in” the Mayor in Cabinet’s decision published on 5 December was submitted under rule 16 of the Overview and Scrutiny (OSC) Procedure Rules. It was considered by the Interim Monitoring Officer who has delegated responsibility for calling in Cabinet and Mayoral decisions in accordance with agreed criteria.
- 3.2 The Call-In request fulfilled the required criteria and the decision is referred to OSC in order to consider whether or not to refer the matter back to the Cabinet for further consideration.
- 3.3 Implementation of the Cabinet decision is suspended whilst the “Call In” is considered.

4. THE MAYOR IN CABINET’S PROVISIONAL DECISION

- 4.1 The overall report, attached at Appendix 2, considered the Medium Term Financial Plan Update. The Call-In request was specifically about the savings proposals around the reconfiguration of Sexual Health Services, however for ease, all the Decisions agreed by the Mayor in Cabinet in relation to the report are listed below:-

“DECISION

1. To note the changes to the draft budget position for 2015/16;
2. To agree the package of savings proposals for 2015/16 detailed in Appendix 1 to the report, taking into account the equality analyses set out in Appendix 2;
3. To agree that further business case refinement and consultation can be carried out on the proposals where necessary;
4. To consider the responses to consultation on savings proposals set out in Section 10 and included, as appropriate, in equality analyses;
5. To note the early indications of the financial position 2016/17 onwards, subject to the Autumn Statement and Local Government Finance Settlement;
6. To note that the financial position is subject to volatility and that developments in Government policy and their implications on MTFP planning assumptions will be monitored closely and reported back at regular intervals.”

4.2 Reasons for Decisions

- 4.2.1 The appendix to the report set out the full reasons for the proposals and they can be seen in the attached appendix to the Cabinet report.

4.3 Alternative Options Considered

4.3.1 The appendix to the report set out any alternative options considered and they can be seen in the attached appendix to the Cabinet report.

5. REASONS AND ALTERNATIVE COURSE OF ACTION PROPOSED FOR THE 'CALL IN'

5.1 The Call-in requisition signed by the five Councillors listed gives the following reason for the Call-in:

5.1.1 The proposed cut of £800,000 from the budget threatens to have a severe impact on the service provided and, as such, further consultation is vitally important.

5.1.2 The call-in will give the Mayor the opportunity to re-examine, consider and consult on the proposal to reconfigure sexual health services in the borough.

5.2 Alternative action proposed:

5.2.1 That the Mayor:

- Fully outline and explain the savings proposed
- That the Mayor pursue further consultation on the proposed changes
- That the Mayor reverse this cut

6. CONSIDERATION OF THE "CALL IN"

6.1 Having met the "Call In" request criteria, the matter is referred to the OSC in order to determine the "Call In" and decide whether or not to refer the matter back to Cabinet for further consideration.

6.2 The following procedure is to be followed for consideration of the "Call In":

- (a) Presentation of the "Call In" by one of the "Call In" Members followed by questions from members of OSC.
- (b) Response from the Lead Member/officers followed by questions from members of OSC.
- (c) General debate followed by OSC decision.

N.B. In accordance with the OSC Protocols and Guidance adopted by the Committee at its meeting on 4th June, 2013, any Member(s) who present(s) the "Call In" is(are) not eligible to participate in the general debate.

6.3 It is open to the OSC to either resolve to take no action (which would have the effect of endorsing the original Mayoral decision/s), or to refer the matter back to the Mayor for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

7.1 The comments of the Chief Financial Officer are incorporated in the attached report

8. LEGAL COMMENTS

8.1 The Mayor in Cabinet's decision has been called-in in accordance with the Overview and Scrutiny Procedure Rules set out in the Council's Constitution. The alternatives presented in paragraph 2.2 of the recommendations in this report are options available to the Committee under the Overview and Scrutiny Procedure Rules.

8.2 Legal comments relevant to the Mayor's decision and to the review by the Overview and Scrutiny Committee are set out in the report on which the decision was based.

9. APPENDICES

- Appendix 1 - "Call In" Requisition
- Appendix 2 – Cabinet Report Medium Term Financial Plan 3
December 2014

Local Government Act, 1972 Section 100D (As amended) List of "Background Papers" used in the preparation of this report

Brief description of "background papers"

Name and telephone number of holder and address where open to inspection.

none