

Form of Request for Decision to be Called-In¹

Call-in is intended to be used only in exceptional circumstances, the procedure being seen as a last resort through which Councillors may request scrutiny of a decision they believe to be contrary to the authority's decision making principles. The process cannot be used simply because members disagree with a decision that has been taken. The Call in process is clearly described in the Council's constitution.

Any Councillor can start the call-in procedure. Decisions can be called in by eight individual Councillors.

Councillor name:	CHRIS HOSSACK.	
Date Call-in request submitted:	27 - FEB - 2015.	
Decision title:	ACONDA item 3. MUTTON Community Centre - New Lease.	
Name and date of Committee Meeting where the decision was taken:	ASSET & ENTERPRISE CITEE. 18 th - FEB - 2015	
<p style="text-align: center;">Signatories (of which 8 in total are required)</p>	1	
	2	
	3	
	4	
	5	
	6	
	7	
	8	

If the call-in is to be submitted by e-mail, only one Councillor need submit the actual form/request. However, individual e-mails (or letters) in support of the request must also be submitted by the other Councillors specified on the form before the end of the call-in period. Call-ins submitted by fax or telephone must be followed up in writing with the required number of signatures before the end of the call-in period.

¹ Overview and Scrutiny Procedure Rules, Part 4.4, Paragraph 10.1

Please use the space below to outline your reason(s) in detail, including:

1. Whether the whole or part of the decision is being called in.
2. Clear reasons for call-in and written evidence that the decision meets the requirements of section 9.10 of the Constitution.
3. Details of attempts the caller-in has made to discuss the issue with the relevant chairperson in advance of the call-in. If no attempts were made then the call-in will not be accepted.

* PLEASE REFER TO THE REASONS GIVEN ON THE ATTACHED DOCUMENT.

* I AM CALLING IN THE WHOLE DECISION.

* I ENDED CUES QUACK/SAPWAL/CHALK ON 26/FEB/15 AT 13H33. TO INVITE THEM TO DISCUSS WITH ME ON THE NUMBER 061030.

VM W/ CUE QUACK 14H50 26/FEB/15.

EXCHANGED OPINIONS W CUE SAPWAL 26/FEB

Continue onto separate sheet if required

What is your desired outcome of the call-in?

THAT THE ENTIRE PROCESS IS REVISITED AND RUN PROPERLY AND THAT QUESTION RAISED IN MY CALL IN REASONS, ARE INVESTIGATED THOROUGHLY AND ANSWERS GIVEN PRIOR TO THIS ESPECIALLY W.R.T. TIME AND OWNERSHIP OF HCC

Would you like to make representation at meeting of the Audit and Scrutiny Committee?

Yes / No
Delete as appropriate

The evidence in accordance with Rule 9.10 to support why the decision is being submitted for call-in is as follows:-

Reason (a) have evidence that it may be contrary to the normal requirements for decision-making.

Decision making Rules

A motion was put immediately following the presentations to pursue just one proposal, this was put before any debate had taken place and indicates a pre-determined outcome.

Best value assessment

"Best value not considered". "please explain best value of this proposal from EBGC and how this complies with the Council's own mantra and legal obligation of best value".
"Officer delegation exceeds reasonableness as they are disposing of an asset for significantly less than best value without further reference to cttee or full council..."
"Given that the information in pink made it clear which proposal contained best value".
"best value was not even made part of the debate in any detail – questions how councillors could have been expected to vote on a decision without debating these crucial figures".

The strongest revenue propositions to the council were not debated and disregarded. No effort was sought to secure the best revenue opportunity that was withdrawn prior to the meeting.

Insufficient Information / Not a level playing field

"Bidders received varying information and at different times". "asked questions on the night they had not been asked to prepare for". "repair cost estimates...could only be provided if the bidders had sought input from a surveyor, this had not be requested prior and was therefore not a level playing field for the other two parties"

Bidders unclear about what was taking place an EOI response or an invitation to tender? There is an obvious dispute amongst bidders as to what the process was that was actually taking place.

Key potential bidders were not even invited so we have no idea what the proposal might have been if at all i.e. BLT therefore the question remains what was the process around who should be proactively contacted and was the EOI request sufficiently advertised at all?

How many other bidders were personally escorted around the HCC by the council leader, EBGC had this benefit, this happened during the previous scrutiny piece into this project.

There was insufficient information given to the cttee to progress with just one bidder.

That clarification be sought and evidence provided as to the actual ownership and title of the building. It is known that it sits on BBC owned land that was transferred from LCC in the 1970's but the building was actually paid for by the Hutton Community, so who owns it and therefore has the rights to make decisions on it's future?

The proposal progressed was a large departure as it included office space for a HQ and significant extensions but limited further information was given to support these statements or consider the opinions of local people
Without it [information given regarding new building proposals from EBGC], their proposal collapses.

No consideration given to the fact that the financial proposal in the pink from EBGC was very low considering they would attain the benefit of a new administrative HQ

Reason (c) lack reasonable and significant information from the decision-taker to explain why it was taken

- No information was given to demonstrate either way as to why the alternate, local community led proposals were so unworkable
- No information provided that HCC site is the only viable appropriate location in the Borough to accommodate the proposals of EBGC
- Supporting statements given by members were factually unworkable, i.e. could benefit Pilgrims Hatch Youth, how?
- Also, supporting statement's given by members that it was for the "benefit of the whole Borough" and that was the basis of their decision, again, what benefits?
- The bank balance of EBGC seems to have been the basis of the decision, but a bank balance does not constitute a commitment to spend or make payments.

Concluding Statement

Due process and a level playing field were not applied for this item from the initiation of the EOI to a decision being made in the Chamber. There are questions over the process with regard to tendering legislation, best value has not been sought in the interests of the council or public, public endorsement has not been sought, the decision has been imposed without full consideration of material facts and without full available information for members to make a sound and robust judgment. For these reasons, we call the decision process and information provided in for scrutiny and further examination.