

Surrey Heath Borough Council
Performance & Finance scrutiny Committee
05 January 2023

Call In – Council Contributions to Collectively Camberley Limited

Head of Service Gavin Ramtohal, Head of Legal and Democratic Services
Report Author: Katharine Simpson, Senior Democratic Services Officer
Key Decision: N/A
Wards Affected: Town

Summary and purpose

To consider a Member Call-In in respect of a decision of the Executive taken on 15th November 2022 to make a financial contribution to Collectively Camberley Limited, the administering body for the Camberley Business Improvement District (BID) outside of the statutorily set BID levy to facilitate the delivery of additional events in Camberley town centre..

Recommendations

The Committee is asked to consider the Executive’s decision in light of the Call-In and to make recommendations in line with the options outlined in paragraph 3.1 below.

1. Background and Supporting Information

- 1.1 The Executive, at its meeting on 15th November 2022, considered a report seeking approval of the provision of additional funds to Collectively Camberley Limited in order to contribute towards the delivery of additional events in Camberley Town Centre. The report considered by the Executive is attached as Annex A to this report.
- 1.2 Having debated the issue, the Executive agreed the original recommendations and it was subsequently resolved (Minute 59/E, attached as Annex B to this report) that:
- i. Approval be given for additional in-year budget of £55,000 through a supplementary estimate for a one-off grant to be awarded to Collectively Camberley Limited in order to contribute towards the delivery of events to support the economic prosperity of the town centre;
 - ii. Approval be given for a supplementary estimate of £5,000 to be added to the current capital programme to provide a capital grant to Collectively Camberley Limited, and
 - iii. Authority be delegated to the Strategic Director Environment and Community in consultation with the Economic Development & Transformation Portfolio Holder to award the grant, subject to the provision of a costed business case.

- 1.3 The procedure to be followed during the consideration of a Call In of an Executive decision is set out in Part 4, Section C, Annex A of the Council's Constitution. The relevant extract of the Constitution is set out in item X of this agenda.

Call In

- 1.4 In accordance with Part 4, Section C of the Council's Constitution, following the publication of the summary of decisions of that meeting, Councillors Rodney Bates, Graham Tapper and Victoria Wheeler called in the Executive decision at paragraph 1.2 above citing the following grounds for concern:
- i. The sponsorship could, at a time of reduced budgets, be considered to be frivolous, inappropriate and a waste of public money.
 - ii. The report contained insufficient evidence based information to either inform or justify the decision or the expense; no business case was presented to outline any benefits the proposed events would bring to the Council.
 - iii. Some of the proposed events could be seen to promote unhealthy lifestyles and antisocial behaviour something that was contrary to Council initiatives around improving health and wellbeing.
 - iv. The report contained no evidence of consultation with relevant partners for example the police, the Integrated Care System (ICS), local hospitality venues and residents.
- 1.5 Detailed Councillor reasons for calling in the decision can be found on the individual Call In Requests Forms which are attached as Annex A to this report

2. Reasons for Recommendation

- 2.1 'Call-in' is one of the tools available for non-executive councillors to hold the Executive Members to account for the decisions they make.
- 2.2 Calling in the decision prevents the decision taking immediate effect to ensure that the Council's Overview and Scrutiny function has had an opportunity to question the Cabinet Member(s) and relevant Officers to find out more about the rationale behind the decision and assess any possible alternative options.

3. Proposal and Alternative Options

- 3.1 Part 4, Section C, Annex A of the Council's Constitution sets out the following options that the Performance and Scrutiny Committee can consider when responding to the Call-In:
- i. Agree with the decision which has been called in, in which case it will be implemented with immediate effect;
 - ii. Agree with the decision but add informatives to submit to the decision maker;
 - iii. Refer it to the decision maker for reconsideration, setting out in writing the nature of any concerns. The decision maker will consider the decision as soon as reasonably practicable (in the case of decisions made by the Executive as a whole this would normally be expected to be at its next meeting);

- iv. After re-consideration, the decision maker will either implement the original decision or amend it as appropriate;
- v. If it considers that the decision is contrary to the Budget or Policy Framework, refer the matter to the Council;
- vi. Refer it to the Council if it is considered that the consequences will be significant. Where a decision is within the purview of the Leader, individual Portfolio Holder or the Executive, the Council must refer the decision back to the decision maker, where appropriate, with any recommendations; or
- vii. Under certain circumstances, scrutiny committees can require the Leader, individual Portfolio Holder or the Executive to submit a report to Council where it thinks a key decision has been taken which was not included in the Forward Plan. The detailed procedure is set out in the Access to Information Procedure Rules at Part 4

4. Contribution to the Council's Five Year Strategy

- 4.1 The contribution that the original Executive Decision will make to the Council's Five Year Strategy are set out in Annex B of this report.

5. Resource Implications

- 5.1 The resource implications of the original Executive Decision are set out in Annex B of this report.

6. Section 151 Officer Comments:

- 6.1 The Section 151 Officer's comments in respect of the original Executive Decision are set out in Annex B of this report.

7. Legal and Governance Issues

- 7.1 The legal and governance implications of the original Executive Decision are set out in Annex B of this report.

8. Monitoring Officer Comments:

- 8.1 The Monitoring Officer's comments in respect of the original Executive Decision are set out in Annex B of this report.

Annexes

Annex A - Call In Request Forms

Annex B - Report to Executive

Annex C - Executive Minute

Background Papers

None