

By: Joel Cook – Democratic Services Manager
To: Scrutiny Committee – 18 August 2022
Subject: Call-in of Decision 22/00052 – KCC Supported Bus Funding Review

Background

1. The proposed decision was discussed at the [Environment & Transport Cabinet Committee on 6th July, 2022](#) prior to the key decision being taken in July 2022. The proposed decision was also discussed at the [Environment & Transport Cabinet Committee on 19th May](#) and [18th February, 2022](#).
2. Following the decision being taken, the call-in request was submitted by Mr Lehmann and Mr Sole, thus meeting the requirement for any call-in to be requested by two Members from different political Groups.
3. The reasons of the call-in were duly assessed by the Scrutiny Research Officer team, including a review of the reasons given by those Members calling in the decision and an investigation into whether any issues raised in the call-in were adequately addressed by the decision paperwork, committee reports, responses to written questions or committee debate. The results of this review were considered by the Democratic Services Manager and the call-in was determined to be valid under the call-in arrangements set out in the Constitution. Call-in reasons must be clear, correct and align to one or more of the following criteria under s17.73 of the Constitution:

Members can call-in a decision for one or more of the following reasons:

- (a) The decision is not in line with the Council's Policy Framework,
 - (b) The decision is not in accordance with the Council's Budget,
 - (c) The decision was not taken in accordance with the principles of decision making set out in 8.5, and/or
 - (d) The decision was not taken in accordance with the arrangements set out in Section 12.
4. The reasons submitted for this call-in are set out in appendix 1.

Process

5. As per the call-in procedure, Democratic Services must consider all call-in requests against the criteria detailed in the constitution, which are themselves based on the legal requirements under the Local Government Act 2000 to have an appropriate mechanism to allow Executive decisions to be scrutinised. In determining the validity of any call-in, no judgement is made by Democratic Services as to whether

the decision itself is flawed, inappropriate or invalid. Similarly, where some individual reasons submitted for an overall valid call-in are not assessed as valid, this does not mean they merit no consideration as part of any subsequent call-in meeting.

6. The Cabinet Member and relevant Officers will be attending the Scrutiny Committee meeting to present their response to the call-in and to respond to questions.
7. The Scrutiny Committee should consider the reasons set out by the Members calling-in the decision, the documentation already available (including the Strategic Statement and Community Strategy which are referenced in the call-in submission) and the response from the Executive given at the meeting, giving due regard to the information made available during questioning and discussion on this item.
8. The decision papers remain available online but are republished in the agenda pack for ease of reference as appendices 2 - 6. Links to the referenced Policy Framework documents are provided under 'Key Strategy Documents'.

Options for the Scrutiny Committee

9. The Scrutiny Committee may:
 - a) make no comments
 - b) express comments but not require reconsideration of the decision
 - c) require implementation of the decision to be postponed pending reconsideration of the matter by the decision-maker in light of the Committee's comments; or
 - d) require implementation of the decision to be postponed pending review or scrutiny of the matter by the full Council.

Appendices

- [App 1: Call-in submission](#)
- [App 2: 22-00052 - Record of Decision](#)
- [App 3: 22-00052 - Decision Report](#)
- [App 4: 22-00052 - Appendix B - Consultation Report](#)
- [App 5: 22-00052 - Appendix C - Service Summary](#)
- [App 6: 22-00052 - Appendix D - EqIA](#)

Key Strategy Documents

[Framing Kent's Future \(Strategic Statement\)](#)

[Vision for Kent \(Community Strategy\)](#)

Background Documents

[Environment & Transport Cabinet Committee on Wednesday, 6th July, 2022](#)

[Environment & Transport Cabinet Committee on Thursday, 19th May, 2022](#)

[Environment & Transport Cabinet Committee on Friday, 18th February, 2022](#)

Report Author

Anna Taylor, Scrutiny Research Officer

Anna.taylor@kent.gov.uk

03000 416478