

By: Joel Cook – Democratic Services Manager

To: Scrutiny Committee – 13 September 2023

Subject: Call-in of Decision 23/00069 – Post 16 Transport Policy Statement including Post 19 for 2024/25

Background

1. The proposed decision was discussed at the [Children’s and Young People Cabinet Committee on 18 July, 2023](#) prior to the key decision being taken in August 2023.
2. Following the decision being taken, the call-in request was submitted by Mr Brady and Mr Lehmann, 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 Democratic Services, 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 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 as appendices for ease of reference.

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.

Attached documents

- a) Appendix 1 - Scrutiny call-in reasons submitted by Mr Brady and Mr Lehmann.
- b) [23/00069 – Record of Decision](#)
- c) [23/00069 – Decision Report](#)
- d) [23/00069 – EqIA](#)
- e) [Appendix A – Post 16 Transport Policy Statement and Post 19 Transport Policy 2024](#)
- f) [Appendix B - Transport Consultation Report](#)
- g) [Appendix C – Analysis of wider UK Post 16 offer.](#)

Background Documents

Children's and Young People Cabinet Committee on 18 July, 2023

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