

BABERGH DISTRICT COUNCIL

TO: Council	REPORT NUMBER: BC/21/36
FROM: Chair of Overview and Scrutiny Committee	DATE OF MEETING: 22 March 2022

21 February 2022 Babergh Overview and Scrutiny Committee - Chair Mary McLaren

3 Committee Members. * Excluding Councillor Melanie Barrett.

***Councillor Melanie Barrett who as Lead Signatory to the Call-In notice was unable to vote on this item and was not acting in her role as a Member of the Overview and Scrutiny Committee.**

In attendance:

Councillor Dave Busby - Cabinet Member for Assets and Investments

Councillor Simon Barrett - Cabinet Member Finance.

Arthur Charvonja - Chief Executive

Emily Yule - Monitoring Officer

Katherine Steel - Assistant Director of Corporate Resources

Emily Atack - Assistant Director Assets and Investments

Henriette Holloway and Bethany Webb – Democratic Services

**CALL-IN OF THE BABERGH CABINET DECISION FOR BCA/21/38
ACCOMMODATION AND AGILE STRATEGY - ENDEAVOUR HOUSE.**

The Call-In to the Babergh Overview & Scrutiny Committee 21 February 2022 was signed by the following Councillors: - Councillor Melanie Barrett, Councillor Margaret Maybury, Councillor Trevor Cresswell, Councillor Mick Fraser, Councillor Jane Gould, Councillor Mark Newman.

The main detail of the Call-In:-

That the paper BCa/21/38 that was presented to BDC Cabinet on Monday 7 February 2022 did not contain sufficient information on the capital costs of the works proposed for cabinet to make an informed decision.

The Capital Costs of £250,000 had no explanation how it would be spent.

The Cabinet approved the paper, but no Cabinet Member asked questions on costs or debated the elements of this issue.

The amount to be spent was more than £150,000 and therefore as a key decision needed the Cabinet to demonstrate publicly that they had considered all circumstances of the case and given Councillors the opportunity to comment.

The Lead Signatory Councillor Melanie Barrett presented her reasons for the Call-In.

The Cabinet Member for Assets and Investments Councillor Busby presented his reasons why the decision had been taken by Cabinet

Questions by the Committee (Councillors McLaren, Gould & Adrian Osborne) of the Cabinet Member for Assets and investments.

How had the sum of £250,000 been calculated and whether the Cabinet had been aware of how this expenditure had been determined was asked by Councillor Gould.

She also highlighted that though the Cabinet may have been aware of the costs certainly Members of the Public (our residents) and other councillors observing the Cabinet meeting would have assumed that the decision was made unchallenged.

Cabinet Members for Finance and Assets and Investments answered queries on why questions on the expenditure had not been raised by Cabinet Members.

Questions by Councillor McLaren ranged from the current annual cost of Gold and Lime Floor Plates, the potential Dilapidations costs, the current up to date costs of the external consultants all of which were answered by the Assistant Director for Assets and Investments.

In relation to staffing implications questions in relation to the fifty percent response from the staff survey was this a true reflection of how staff really felt, Councillor Busby felt that the staff response was good.

Questions about the Health and Safety requirements regarding the safety of working from home with equipment fit for purpose (DSE) this had not incurred any extra costs and had been undertaken by the Council's Health and Safety Team. This information provided by the Assistant Director of Assets and Investments.

Councillor McLaren questioned where this expenditure had been located in the Budget Papers and given it would need to be borrowed what level of interest would be accrued. The Assistant Director for Corporate Resources responded that it had been contained in Appendix A of the General Fund report under Planned Maintenance/Enhancements - Corporate Buildings with £300,000 allocated for this work. The funds would come from borrowing and that the interest on this over 5 years would be £7500.

Councillor McLaren in her final question queried the arrangements in place if the proposed plan failed to meet the need of the staff. The Assistant Director of Assets and Investment re-assured the Committee that the proposed floor space was flexible to meet that eventuality.

Councillor Busby and Councillor Melanie Barrett were each asked to summarise their presentations.

Councillors Busby, Melanie and Simon Barrett were asked to leave the meeting.

Members debated the lack of questions on finance at the Cabinet Meeting. However, it was noted that there were opportunities for other Members attending the meeting to ask questions.

Additionally, it was observed that although questions had not been asked it did not mean the Cabinet were not informed on this matter.

Members also raised concerns that for decision that deal with large sums of money there should be more questioning in public session to allow for public transparency.

To clarify the Call-In process for non-committee members, there is no opportunity in the process to explore various recommendations as Members are given only three courses of action in the Call-In Protocol: -

- 1) Refer the matter back to the Cabinet for re-consideration, together with the observations of the Overview and Scrutiny Committee. Cabinet will then take a final decision and that decision cannot be called in.
- 2) Seek the advice of the Monitoring Officer as to whether the decision is contrary to or not wholly in accordance with the policy framework or the budget and if applicable refer the matter to full Council for the final decision.
- 3) That the decision be upheld and implemented immediately.

We had already heard from the Assistant Director for Corporate Resources regarding the budget and the Monitoring Officer advised that option 2 was not acceptable.

Councillor Jane Gould proposed that the decision be implemented immediately.

Councillor Adrian Osborne seconded the motion.

By unanimous vote

It was RESOLVED: -

That the decision be upheld and implemented immediately.

The business of the meeting was concluded at 11.03am

Members are kindly requested to note this report.