

NORTH YORKSHIRE COUNTY COUNCIL

YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

8 April, 2008

**Call In of Decision By Corporate Director - Children & Young People's Service
Relating to School Clothing Allowance**

1.0 PURPOSE OF REPORT

- 0.1 To enable the Committee to consider whether it would wish to refer the decision relating to School Clothing Allowance back to the Corporate Director - Children and Young People's Service or to the full Council and, if so, the nature of its concerns about the decision.

2.0 THE DECISION OF THE CORPORATE DIRECTOR - CHILDREN & YOUNG PEOPLE'S SERVICE

- 2.1 On 14 March 2008 the Corporate Director made the following decisions:-

“That the rate at which the School Clothing Allowance is paid be retained at £60 for the 2008/9 academic year and the criteria for eligibility be revised by including those parents who are in receipt of their maximum level of Working Tax Credit with effect from 1 April 2008.”

- 2.2 A copy of the Report and Decision Record are attached as an Appendices to this Report.

3.0 THE CALL IN

By 20 March, 2008 I had received written notice from 6 Members that they wished the decision by the Corporate Director - Children and Young People's Service to be called in. The notice was signed by County Councillors Keith Barnes, Bernard Bateman MBE, Richard Hall, David Lloyd Williams, J.W. Marshall and Caroline Seymour. I subsequently received 3 further requests from County Councillors Gordon Charlton, Polly English and John Wren.

4.0 THE ROLE OF THE OVERVIEW AND SCRUTINY COMMITTEE

- 4.1 It is for the Committee to consider the decision which has been subject to call in and then to decide whether, or not, it wishes to refer it back to the decision making person or body (the Corporate Director - Children and Young People's Service) for reconsideration, setting out in writing the nature of its concerns, or whether, or not, it wishes to refer the matter to full Council.

- 4.2 If the Committee does not refer the matter back to the Corporate Director - Children and Young People's Service or refer it to the Council, the decision will take effect on the date of the Overview and Scrutiny Committee meeting. The relevant parts of the County Council's Overview and Scrutiny Committee procedure rules are set out below.

5.0 16. CALL IN

Note: Powers of call in apply only to functions which are the responsibility of the Executive.

- (d) If, having considered the decision, the Overview and Scrutiny Committee wishes to do so, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns, or refer the matter to full Council. If referred to the decision maker they shall then consider the matter, amending the decision or not, before adopting a final decision.
- (e) If following an objection to the decision, the overview and scrutiny committee does not refer the matter back to the decision making person or body the decision shall take effect on the date of the overview and scrutiny meeting.
- (f) Where the matter has been referred to full Council, but the Executive decides that the matter must be determined prior to the next Council meeting, they may proceed to determine the matter, and shall report the matter to the next Council meeting.
- (g) Subject to (f) above, if the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, (note: it has no locus to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget) the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it.

6.0 ISSUES TO BE DETERMINED

- 6.1 That the Committee considers whether, or not, it wishes to refer the decision back to the Corporate Director – Children and Young People's Service for reconsideration and, if so, the nature of the Committee's concerns, or whether the Committee wishes to refer the matter to full Council, or not.

STEPHEN KNIGHT
Head of Committee Services

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NORTHALLERTON

28 March 2008
JW/PAT/JD

Background Documents None

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