

NORTH YORKSHIRE COUNTY COUNCIL

YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

3 March 2009

Call In of Decision By Corporate Director – Children and Young Peoples’ Service
Relating to Review of Charges for Post 16 Students

1.0 PURPOSE OF REPORT

- 0.1 To enable the Committee to consider whether it would wish to refer the decision relating to the review of post-16 transport charges to the Corporate Director – Children and Young Peoples’ 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 AND YOUNG PEOPLE’S SERVICE

- 2.1 On 13 February 2009 the Corporate Director – Children and Young Peoples’ Service made the following decision:-

- (1) That the charges for post-16 transport from £315 per annum to £325 per annum (3%), with an equivalent increase in termly passes, with effect from September 2009.
- (2) That the concessionary charges made for non-entitled students to travel on home to school transport provided by the Authority also be increased by 3%.

- 2.2 A copy of the Report (see attachment pages 4-5) and Decision Record (pages 6-7) are attached as Appendices to this Report.

3.0 THE CALL IN

By 18 February 2009, I had received written notice from 9 Members that they wished the decision of the Corporate Director – Children and Young Peoples’ Service to be called in. The notice was signed by County Councillors Margaret Ann de Courcey Bayley, Keith Barnes, Les Parkes, Stuart Parsons, Polly English, Bill Houlton, John Marshall, Caroline Seymour and Gordon Charlton.

The reasons given for Call-in were:-

“The decision to increase charges will adversely affect young people and their families during the economic downturn.

The level of Education Maintenance Allowance for 2009/10 is not yet known.

The decision discriminates against young people in rural areas.

The decision is inconsistent with the County Council’s stated objective of looking after our heritage and our environment in our countryside and our towns and villages, due to the inevitable increase in car journeys”.

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 Peoples' 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 Peoples' 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.

CAROLE DUNN
Assistant Chief Executive (Legal and Democratic Services)

County Hall
NORTHALLERTON

19 February 2009
JW/ALJ/JD

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| <u>Background Documents</u> | None |
| Author of Report | Jane Wilkinson |