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**CALL-IN OF EXECUTIVE DECISION**

**Hastings Road Day Centre**

ADULT SOCIAL CARE SCRUTINY COMMISSION

– 18 July 2023

COUNCIL – 28 September 2023

REPORT OF THE MONITORING OFFICER

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## Useful information

- Ward(s) affected: All
- Report author: Graham Carey
- Author contact details: graham.carey@leicester.gov.uk
- Report version number: V1

### 1. Summary

An Executive decision taken by the Deputy City Mayor - Social Care, Health and Community Safety on 3 July 2023 relating to ending the service at Hastings Road Day Centre and instruct Adult Social Care to start working with families to undertake reviews, identify suitable alternative arrangements, and support the safe transition of people into those arrangements. has been the subject of a five-member call-in under the procedures at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules, of the Council's Constitution.

The procedure rules state that a scrutiny committee or any five councillors may request formally that the decision be called-in for a further review by giving notice in writing to the Monitoring Officer within five working days of the decision.

The five Councillors who signed the call in were: Councillor Modhwadia (proposer), Councillor Kitterick (seconder), Councillor Joshi, Councillor Mahesh and Councillor Porter.

### 2. Recommended actions/decision

The Adult Social Care Scrutiny Commission is recommended to either:

- a) Note the report without further comment or recommendation. *(If the report is noted the process continues and the call in will be considered at Council on 28 September 2023);* or
- b) Comment on the specific issues raised by the call-in. *(If comments are made the process continues and the comments and call in will be considered at Council on 28 September 2023);* or
- c) Resolve that the call-in be withdrawn *(If the committee wish for there to be no further action on the call-in, then they must actively withdraw it. If withdrawal is agreed the call-in process stops, the call-in will not be considered at Council on 28 September 2023 and the original decision takes immediate affect without amendment).*

Council is recommended to either:

- a) Support the Deputy City Mayor's decision, and thus confirming the decision with immediate effect; or
- b) Recommend a different decision to the Deputy City Mayor. (The original decision will still stand, unless the Deputy City Mayor takes a further decision to amend the original.)

### **3. Scrutiny / stakeholder engagement**

The decision was not considered with a scrutiny commission prior to the decision being made.

### **4. Background and options with supporting evidence**

The Executive Decision Report and Decision Notice are attached at Appendix A and Appendix B.

### **5. Detailed report**

The call-in submitted to the Monitoring Officer was in the following terms:

*“We the undersigned wish to call in the Cabinet Decision regarding Hastings road day Centre in order to examine the impact of the decision on the users of the centre, their carers and families.”*

The Monitoring Officer has confirmed that the call-in satisfies the requirements of the procedure rules and it has, therefore, proceeded as per the process set out at Rule 12 of Part 4D, City Mayor and Executive Procedure Rules of the Council’s Constitution.

Where a call-in has been made, officers are to take no further legally binding action, unless the circumstances of Rule 12 (f) are fulfilled, and the matter shall be referred to a meeting of the full Council. Prior to this it shall be referred to the relevant Scrutiny Committee if one is programmed or a special scrutiny committee if one is convened.

The call-in may however be withdrawn if:

The relevant scrutiny committee/commission makes a resolution to withdraw; or

The sponsor and seconder of the call-in inform the Monitoring Officer that they wish the call-in to be withdrawn.

Following consideration of a call-in by full Council, the original decision will be deemed to be revived in its entirety. Any agreement by the decision maker to change the original decision will require a further formal Executive Decision.

## **6. Financial, legal, equalities, climate emergency and other implications**

### 6.1 Financial implications

There are no direct financial implications arising from the call-in.

Colin Sharpe, Deputy Director of Finance, Ext. 37 4081

### 6.2 Legal implications

The legal implications arising from the call-in are explained in sections 2 and 5 above

Kamal Adata, Monitoring Officer, Extn 371401

### 6.3 Equalities implications

There are no comments in addition to those in the decision report.

Kalvaran Sandhu, Equalities Manager, Extn 376344

### 6.4 Climate Emergency implications

There are no further climate emergency implications to those provided in the decision report.

*Aidan Davis, Sustainability Officer, Ext 372284*

### 6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

None

## **7. Background information and other papers:**

None

## **8. Summary of appendices:**

Appendix A Executive Decision Report – Hastings Road Day Centre dated 3 July 2023.

Appendix B Decision Notice - Hastings Road Day Centre dated 3 July 2023.

## **9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?**

No