

**Lynn Harris**

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**From:** Lynn Harris on behalf of Andrew Ogden  
**Sent:** 15 December 2006 10:00  
**To:** Councillor Martyn Forster; Councillor Trevor Webb; Councillor Olive Woodall  
**Cc:** Councillor Sylvia Tidy; Councillor Keith Glazier; Councillor Bill Bentley; Keith Hinkley  
**Subject:** Avis Way Call-in

Dear All,

Thank you for sending in your request for a call-in, dated 12 December. I received the signed copy of the call-in on 14 December.

For ease of reference, I am attaching an extract from the Constitution which gives guidance on the call-in procedure, and you will see that I need to be satisfied that the procedures have been followed and the request meets the requirements of paragraph 19(b). Also, as you will know, call-in should only be used in exceptional circumstances, and I should be grateful if you would let me have your response to the issues set out in paragraph 19(a).

In your letter of 12 December you set out a number of reasons for the call-in. Please would you let me have the following additional information so that I can consider whether the call-in meets the requirements of paragraph 19(b).

(a) In making its decision earlier this week, the Cabinet considered whether Avis Way should be taken as part of the general review of provision of all directly provided services. The Cabinet decided against doing so. Please let me know what new information you have which could persuade the Cabinet to change its mind on this point.

(b) The report to Cabinet gave an estimate of savings, and it will not be possible to give more information because, of course, we do not know if there will be any redundancies. Much will depend on the operation of our Employment Stability policies. We are unlikely to be able to provide better information, either to Scrutiny or the Cabinet. Please let me know how a discussion within Scrutiny is likely to assist in this respect.

(c) Your letter states that there has been "almost unanimous condemnation of the consultation process with users and carers". Please can you let me know what evidence you have for this statement, what additional consultation is required, and if there are any relevant issues which the Cabinet failed to take into account.

(d) Please let me know which meetings with concerned parties have not been properly reported to members. So far as I am aware, all relevant documents were in the Members' Room, and the Director of Adult Social Care also reported back to the Cabinet concerning the meeting he had attended earlier in the week.

(e) You say that members expressed doubts as to the capacity of the South Downs Housing Association to provide appropriate person-centred care plans at no additional cost. This issue was discussed within the Cabinet's meeting and, again, I am not clear what new information is available which is likely to change the decision. I should be grateful for any additional information you are able to give me on this point.

(f) I do not believe it is valid to call-in this decision on the basis that it has not been referred to the next meeting of the full County Council. As you will know, the Avis Way decision is for the Cabinet to make and, constitutionally, there is no reason for it to be referred to a full meeting of the Council.

(g) I do not believe that it is valid to call-in this decision because four local councillors have expressed concerns about the decision. Local councillors who wished to speak were given the opportunity to do so, and the Cabinet, therefore, was able to consider their representations as part of the decision-making process. A call-in by Scrutiny Committee will not provide any additional information in this respect, so far as I am aware.

(h) The point about population growth was also referred to in the Cabinet meeting and, I am not clear what purpose a call-in will serve in relation to this.

(i) Although doubts were expressed by some Members about St Nicholas' ability to cope with service users bussed to them, assurances were given by Leading Members and the Director that there is capacity at the centre. This point is addressed in paragraph 2.6 of the report to Cabinet and I should be grateful if you would set out any evidence you have in support of the view that St Nicholas would be unable to cope.

I look forward to hearing from you as soon as possible. Once I have your additional information I will be in a better position to assess whether, in line with paragraph 19(b), there are legitimate grounds for a call-in in this particular case.

*Andrew Ogden*

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