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Marjorie Toward,
Councillor Ben Bradley MP,
Councillor Matt Barney,
Councillor Boyd Elliott,
Councillor Glynn Gilfoyle
Nottinghamshire County Council
County Hall
Loughborough Road
NG2 7QP



Delivered via Email

13th March 2023

Intention to Call-In Cabinet Decision – All Age Carers Strategy

Dear Marje and Cllrs Bradley, Barney, Elliott and Gilfoyle,

I am writing to inform you as the relevant Proper Officer, Leader, Cabinet Member and Scrutiny Chairs, that it is the intention of the signatories of this letter to initiate the Council's pre-call-in procedure regarding a Decision taken at Cabinet on Thursday 9th March regarding the 'Nottingham and Nottinghamshire All-Age Carers Strategy'.

The purpose of this letter is therefore both to begin the pre-call-in procedure, as per page 108 the Constitution, to outline our areas of concern, and to indicate our intention to proceed with a Call-In, should the outcome of the pre-call-In process leave these concerns unresolved.

As outlined in the Constitution, we will seek to call-in this decision under the following principles:

a. Compliance with the law;

and

f. where required by law or this Constitution, describing options considered and giving reasons for the decision;

Under the heading 'informal dialogue with select committees' on page 7 of the Nottingham and Nottinghamshire All-Age Carers Strategy Report refers to 'pre-decision scrutiny', Paragraph 43 reads:

'As a result of the pre-decision scrutiny that was carried out, the relevant members of Adult Social Care and Public Health Select Committee and the Children and Families Select Committee provided the following outcomes to Cabinet for their consideration' and lists four recommendations.

I refer back to paragraph 9 of the Council's constitution, which states:

'[...] The Council (mainly through the scrutiny process and call-in of decisions) is ultimately responsible for holding the Cabinet to account.'

The Council's Constitutional scrutiny process is clear and the 'informal dialogue with select committees' and 'Pre-decision scrutiny' meetings referred to in the report are not constitutionally recognised.

Our Members, some named in this report, believe that due process had not been followed and that that their views have been misrepresented in the report as a result. I am also concerned that the nature of these meetings themselves infringe upon other functions recognised within our existing Constitutional processes for scrutiny.

It was made clear during these meetings that they would be held in private, that no minutes would be taken and that no vote would be recorded.

I am extremely concerned at both the inaccurate and misleading content in the report and the way in which these meetings have been conducted.

I have sought legal soundings and understand that the manner in which these meetings have been undertaken may have been in contravention of the 1972 Local Government Act.

Any Council Scrutiny meeting must be conducted via the appropriate processes, as outlined in the Constitution, and not as an ad-hoc, behind-closed-doors gathering where its purpose is not made clear to Members prior to their attendance.

I wait in expectation that the issues raised above will be acknowledged in your response, and in lieu of a timely response, instruct the relevant Officers that the signatories to this letter request to proceed with the Call-In of this Decision.

Sincerely,



**County Councillor Kate Foale
Leader of Nottinghamshire County Council Labour Group
& Call-In Lead Member**

Additional Call-In Signatories



**Councillor Mike Pringle
Labour Group Deputy Leader**



**Councillor Michelle Welsh
Labour Spokesperson**



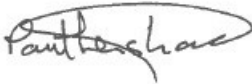
**Councillor Errol Henry
Labour Group Business Manager**



**Councillor Anne Callaghan
Labour Spokesperson**



**Councillor Sybil Fielding
Labour Group Member**



**Councillor Paul Henshaw
Labour Group Spokesperson for Adult
Social Care & Public Health**