

## **“Call-in” from Meeting of Cabinet on Tuesday 28 May 2013: Midlothian Public Toilets**

**Report by John Blair, Director, Corporate Resources**

### **1 Background**

This report advises of the “call-in” of a Cabinet decision from its meeting on 28 May 2013. A copy of the “call-in” is shown at Annex 1.

The “call-in” relates to the Cabinet’s decision concerning public toilet provision in Midlothian. A copy of the report which was considered by Cabinet is shown at Annex 2.

The Cabinet agreed:-

*To agree that option (b)\* as detailed above be approved and that a report be submitted to a future meeting of the Council with regard to the resulting budget shortfall.*

*\*(b) Reduced Specification*

*Continuing the service but with two cleaning operatives and one vehicle.*

*The cost implications of this option were as follows:-*

|                       | <i>Approved<br/>Budget<br/>2013/14</i> | <i>Required<br/>Budget<br/>2013/14</i> | <i>Additional<br/>Budget<br/>Required</i> | <i>Approved<br/>Budget<br/>2014/15</i> | <i>Required<br/>Budget<br/>2014/15</i> | <i>Additional<br/>Budget<br/>Required<br/>2014/15</i> |
|-----------------------|--|--|---|--|--|---|
| <i>Employee Costs</i> | £45,000                                | £66,000                                | £21,000                                   | £0                                     | £44,000                                | £44,000   |
| <i>Premises</i>       | £16,000                                | £53,000                                | £37,000                                   | £29,000                                | £53,000                                | £24,000   |
| <i>Transport</i>      | £0                                     | £6,000                                 | £6,000                                    | £0                                     | £4,000                                 | £4,000  |
| <i>Supplies</i>       | £0                                     | £1,000                                 | £1,000                                    | £0                                     | £1,000                                 | £1,000  |
| <i>Total Cost</i>     | £61,000                                | £126,000                               | £65,000                                   | £29,000                                | £102,000                               | £73,000   |

*This option would leave the Council with a forecast overspend of £65,000 in 2013/14 and £73,000 in 2014/15. This assumed a start date of 1 October 2013.*

Under the “call-in” procedure the Cabinet’s decision in relation to the “called-in” item is frozen pending resolution through the process described at paragraph (h) of the “call-in” procedure, a copy of which is shown at Annex 3.

## **2 “Call-in” Procedure**

In terms of the “call-in” procedure, after having considered the "called-in" business, the Performance, Scrutiny and Audit Committee must decide only in accordance with one of the following two options:-

- (i) **Option 1** - To note the Cabinet's decision. (This will have the effect of immediately unfreezing the “called-in” decision); or
- (ii) **Option 2** - To make specific recommendation(s) back to the Cabinet on the "called-in" item. Such recommendation(s) shall be reported to the next available Cabinet meeting without the need for prior publication or approval of the Performance, Scrutiny and Audit Committee minutes. Where the Cabinet declines to accept any or all of these, the matter shall continue to be frozen and referred *simpliciter* by the Director, Corporate Resources to the full Midlothian Council for determination. Should he deem it appropriate, the Director may call Special Council and/or Cabinet meetings to facilitate the determination of the matter.

## **3 Recommendation**

The Performance, Review and Scrutiny Committee is invited to consider the “called-in” business and agree in terms of either Option 1 or 2 above.

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