

## Outcome of Call In: Little Owls Nurseries Review

Date: 24 July 2024

Report of: Head of Democratic Services

Report to: Executive Board

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief summary

This Report relates to a decision taken by Executive Board on 19 June 2024 and published on 21 June 2024 with regard to the Little Owls Nurseries Review (Executive Board Minute 7).

Following the receipt of two valid call in requests the Children and Families Scrutiny Board held a call in meeting on 9 July 2024 to consider in detail the Executive Board decisions taken in relation to the Little Owls Nurseries Review.

[The Executive and Decision Making Procedure rules](#) provide the framework for the call in process, a call in meeting asks the Scrutiny Board to determine whether to:

- release the decision for implementation; or
- recommend to the decision-maker that the decision should be reconsidered.

This report therefore provides the outcome of the call in meeting for consideration by the Board.

### Recommendations

- a) In response to the Outcome of the Call In on the Little Owls Nurseries Review, Executive Board is asked to reconsider its decision in relation to Resolution G on Minute 7 of the Executive Board meeting held on 19 June 2024 and either confirm its original decision or vary it taking account of the Recommendations made by the Children and Families Scrutiny Board.

## What is this report about?

- 1 The Children and Families Scrutiny Board held a call in meeting on 9 July 2024 to consider in detail the Executive Board decisions taken in relation to the Little Owls Nurseries Review (Minute 7 Executive Board held on 19 June 2024). The decisions in question are as follows:
  - (a) That in general terms, the contents of the submitted report, be noted;
  - (b) That it be noted that the Council will continue to directly deliver day care at the following Little Owls settings:
    - Chapeltown
    - Harehills
    - Middleton Laurel Bank
    - New Bewerley
    - Swarcliffe
    - Two Willows
    - Little London
    - Seacroft
    - Armley Moor
  - (c) That the consultation and engagement responses in relation to the proposal, as detailed within the submitted report and appendices, be noted; and having had regard to those, the withdrawal from and/or closure of Little Owls Gipton North, Little Owls Chapel Allerton and Little Owls Kentmere, be approved;
  - (d) That following resolution (c) above, where possible and noting ancillary use, those buildings be declared surplus to operational requirements following the closedown of Little Owls functions;
  - (e) That the initial consultation and engagement responses in relation to the proposal to explore the potential amalgamation of some Little Owls settings and to explore potential and viable interest from other providers, as detailed within the submitted report and appendices, be noted; and that agreement be given to the undertaking of a 'market sounding exercise' to deliver additional nursery places to replace specific Council run settings at the following locations:
    - Shepherds Lane
    - City & Holbeck
    - Hunslet Rylestone
    - Meanwood
    - Parklands
    - Osmondthorpe
    - St Mary's Hunslet
    - Quarry Mount
    - Rothwell
    - Hawksworth Wood
    - Bramley
    - Burley Park
  - (f) That the subsequent 'market sounding exercise' in relation to the settings set out in resolution (e) above, be agreed, and that it be noted that those 'market sounding exercises' will commence immediately;
  - (g) That it be noted that the Director of Children and Families may take further decisions in respect of the settings listed at resolution (e) above following the market sounding exercise for the twelve settings indicated, which would be as a direct consequence of this decision.
- 2 The Scrutiny Board decided by majority vote to release Resolutions A-F for immediate implementation with the relevant decision release documentation completed and circulated on 9 July 2024.
- 3 In respect of Resolution G the Board decided by unanimous vote to refer the decision back to the decision maker for reconsideration. The reasoning for this was agreed at the call in meeting. The Scrutiny Board believed that democratic oversight would be enhanced if future decisions on the 12 Little Owls settings listed at Resolution E (above) were taken at Executive Board rather than through officer delegated decision.

### **What impact will this proposal have?**

- 4 As set out in the Executive and Decision Making Procedure Rules this report fulfils the requirement for a report to be submitted by the Scrutiny Officer to the decision maker within three working days following a recommendation to refer a decision back to the decision maker.
- 5 The Executive Board can either vary or confirm its original decision.

### **How does this proposal impact the three pillars of the Best City Ambition?**

Health and Wellbeing       Inclusive Growth       Zero Carbon

- 6 This is a procedural report that does not have any direct impact on the three pillars of the Best City Ambition.

### **What consultation and engagement has taken place?**

Wards affected:

Have ward members been consulted?       Yes       No

- 7 This report provides the outcome of a call in request, there was no requirement for specific consultation beyond the need to arrange and carry out the call in meeting within 7 clear working days of receipt of a valid call in request.

### **What are the resource implications?**

- 8 Prior to submitting a Call In request, a nominated signatory must first contact the relevant officer or Executive Member to discuss their concerns and their reasons for wanting to call in the decision. Part of this discussion must include the Member ascertaining the financial implications of requesting a Call In.

### **What are the key risks and how are they being managed?**

- 9 There are no specific risks associated with this report.

### **What are the legal implications?**

- 10 The Call in process is carried out in line with Executive and Decision Making Procedure Rules.
- 11 In line with Executive & Decision Making Procedure Rule 8.1.1, the power to Call In decisions does not extend to those decisions which have been the subject of a previous Call-In. As such, this report is not eligible for Call In.

### **Options, timescales and measuring success**

#### **What other options were considered?**

- 12 No other options were considered as the procedure for call in is dictated by the Executive and Decision Making Procedure Rules.

#### **How will success be measured?**

- 13 Adherence to the procedure rules.

## **What is the timetable and who will be responsible for implementation?**

14 Not Applicable

### **Appendices**

- None

### **Background papers**

- None