

This form is to be used when calling in a decision taken by the Cabinet, an Individual Member of the Cabinet or a committee of the Cabinet, or a key decision made by an officer with delegated authority from the Cabinet, or under joint arrangements. The full procedure is set out in paragraph 16, Part 4, Section 5 of the Constitution and page 53 of the Handbook.

ITEM TO BE CALLED IN PUBLIC TOILET REVIEW	
DATE DECISION TAKEN: _____ 17/02/09 _____	
DECISION TAKEN BY:	Tick
Cabinet	<input checked="" type="checkbox"/>
Individual Member of Cabinet (please state) Councillor ___ JON BARRY	
Committee of Cabinet (please state) _____	
Key Decision by Officer with delegated authority (please state) _____	
Joint Arrangements (please state) _____	
REASONS FOR CALL-IN: (please indicate at least one reason why the decision in question has not been made in accordance with the principles set out in Article 13 of Constitution)	Tick
(a) Proportionality (i.e. the action must be proportionate to the desired outcome)	<input checked="" type="checkbox"/>
(b) Due consultation and the taking of professional advice from Officers	<input checked="" type="checkbox"/>
(c) Respect for human rights	<input checked="" type="checkbox"/>
(d) A presumption in favour of openness	
(e) Aims and desired outcomes will be clearly expressed	
(f) Options that were considered and the reasons for arriving at the decision will be explained	
REASONS WHY DECISION HAS NOT BEEN MADE IN ACCORDANCE WITH THE PRINCIPLE(S) SET OUT ABOVE AND (IF APPROPRIATE) PROPOSED ALTERNATIVE COURSE OF ACTION:	
POSSIBLE CONTRAVENTION OF THE 2003 LICENSING ACT ,PROVENTION OF HARM TO CHILDREN.SECTION 7,PARAGRAPH 145 REGARDING UNACOMMPANIED CHILDREN BELOW THE AGE OF 16 ON LICENSED PREMISES.	
THE SIGNATURES BELOW SEEK CLARIFICATION THAT THE COUNCIL HAS TAKEN INTO ACCOUNT THAT BY INTRODUCING THIS COMMUNITY TOILET SCHEME THAT ALL THE LEGAL REQUIREMENTS ARE IN PLACE.	
COMMUNITY TOILET SCHEME IS UNWORKABLE IN THE RURAL AREAS AS THE ONLY PLACES OPEN AT WEEKENDS ARE PUBLIC HOUSES AND THIS INTERFERES WITH A PERSONS HUMAN RIGHTS BECAUSE OF EITHER PERSONAL CHOICE OR RELIGIOUS BELIEFS THEY DO NOT WISH TO ENTER A PUBLIC HOUSE .	
THERE HAS BEEN NO CONSULTATION WITH LOCAL BUSINESSES WHICH ARE AGAINST THE SCHEME SO THE DESIRED OUTCOMES CAN NOT BE MEET	
Members of Overview & Scrutiny Committee	
Cllr _____ V.HISTED _____ <input type="checkbox"/> Cllr _____ S.BRAY _____	
<input type="checkbox"/> Three Further Council	
<input type="checkbox"/> Cllr _____ B.ROE _____ <input type="checkbox"/> Cllr _____ S.FISHWICK _____ <input type="checkbox"/> Cllr _____ J.DENT _____	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> (Note: A valid request for call in must be signed by a total of 5 Members of the Council, including 2 or more Members of the Overview & Scrutiny Committee, and all 5 Councillors must not be from the same political group.	
) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> DATE: _____ 23/02/09 _____	
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> THIS REQUEST FOR CALL IN MUST BE SUBMITTED TO THE CHIEF EXECUTIVE (BY POST, FAX OR E-MAIL) WITHIN 5 WORKING DAYS OF THE DATE OF PUBLICATION OF THE DECISION	