

**APPENDIX 1
EAST HERTS DISTRICT COUNCIL**

REQUEST TO CALL-IN AN EXECUTIVE DECISION

Report title	Letting of a concession contract for the installation and management of electric vehicle chargers in East Herts Council's car parks
Date of decision	9 March 2026
Date Published	9 March 2026 (first on Forward Plan 19/08/2025)
Who took the decision	Jonathan Geall, Director for Communities
	<p>We fully recognise the value of informal discussion with the portfolio holder and are happy to engage in that process where appropriate. However, having reviewed the Council's Constitution and the Scrutiny Procedure Rules, we understand that the call-in mechanism is a formal process available to Members in respect of Key Decisions, including those taken under officer delegated authority.</p> <p>In this instance, the decision (KD26/01) is explicitly identified as a Key Decision, with district-wide impact and significant financial implications. The decision was taken by the Director for Communities under delegated authority, and the report seems to indicate that the Executive Member did not play a role in the decision-making process.</p> <p>Given these circumstances, and in light of the requirement to submit any call-in within the prescribed five working day period, we consider it appropriate to proceed with a formal call-in request to ensure compliance with the Scrutiny Procedure Rules and to preserve Members' ability to seek review by the Overview and Scrutiny Committee.</p> <p>We have, and are of course, willing to engage constructively with the Executive Member alongside this process. However, we do not consider that such engagement should delay or be a prerequisite to the submission of a valid call-in request. Accordingly, please treat the initial submission request as a formal call-in submission, supported by 4 non Exec Members</p> <p>I base the call in on developing the understanding around the following:-</p> <ol style="list-style-type: none"> 1. Strategic significance of the decision 2. Transparency of financial arrangements 3. Consumer protection and charging tariffs 4. Long-term contractual commitments 5. Due diligence and financial guarantees

Objection / Reason for making the call-in – continue on a separate sheet, if necessary	I ask that the Overview and Scrutiny Committee review this decision to ensure that the council’s principles of transparency, proportionality and best value have been fully satisfied before the decision is implemented.
Date of call-in request	17 March 2026

You can only make a request to call-in a decision if there is evidence that the decision taken was not in accordance with the principles of decision-making, as set out in the Constitution.

Which of the following principles do you believe the decision did not take into account?

Due regard for the individuals and communities served by East Herts District Council

This decision, when implemented, will affect a small but growing number of East Herts residents and visitors. It will involve a considerable capital investment, albeit not by the Council but by others, some of whom are not clearly obvious. There may well be liabilities above and beyond the simple concession. If the scheme is not implemented in a timely manner and the equipment is not properly maintained so as to offer a reliable service, there is a reputational risk to the authority and its local members.

Proportionality – this means the action must be proportionate to the desired outcome

A short-term delay whilst this process is more thoroughly examined is entirely proportionate, given the challenges that might arise.

Due consultation in line with the council’s consultation strategy

A call-in of this decision is in line with this authority’s mechanisms

Respect for human rights

Not challenged

A presumption in favour of openness

A call in to the OSC can only be seen as a positive step in terms of openness and accountability.

Clarity of aims and desired outcomes

Not applicable

Consistency with the council’s budget and policy framework

Whilst an income is expected, it seems modest and related only to the letting of the parking spaces. Whilst it is recognised that the capital and larger part of risk will be borne by the Concession holder, it is thought EH should get some return on the usage, i.e. a % or fee per kWh

Alternative proposal

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Alternative proposal –
continue on a separate sheet, if
necessary

Persons making this call-in

We are:

- An individual elected member for a ward particularly affected by the decision
- The chair of the relevant overview and scrutiny committee
- Any 4 non-Executive Members

Contact information

Name	Cllr David Andrews
Email address	David.Andrews@eastherts.gov.uk

Supporters of the call-in

Details of each person indicated as 'persons making this call-in' on page 2 must be entered below.

Number	Name in block capitals	Signature
1.	Cllr David Andrews	Via email
2.	Cllr Graham McAndrew	Via email
3.	Cllr Bob Deering	Via email
4.	Cllr Ian Devonshire	Via email

Please return this form to

- democratic.services@eastherts.gov.uk

For Monitoring Officer use only

Monitoring Officer's decision on the call-in request:

- Allowed in full
- Allowed in part
- Not allowed

Monitoring Officer's reasons for decision	<p>Whilst I accept the reasons given for this call-in request, I do not accept the statement expressed by the members making it that early engagement with the Executive Member is not be a prerequisite for the submission of a call-in request to be valid.</p> <p>Part 5.31.3 (d) of the council's adopted Constitution makes it clear that members should first make every effort to discuss the issue with the relevant Executive Member or the Leader of the Council before a call-in can be accepted. It is not an optional step for members wishing to call-in a decision to choose whether to follow or not and is therefore very much a prerequisite.</p> <p>However, given the members' commitment to engaging with the Executive Member, albeit a little later than they should have done, I am willing to accept the call-in request on the proviso that this is done. A failure to engage should render the call-in invalid.</p>
Monitoring Officer's comments on the alternative proposal	<p>There was no alternative proposal.</p>
Signature	<p>James Ellis</p>
Date	<p>18.03.2026</p>