

Report to Council

Agenda
Item:

19

Meeting Date: 7 January 2020
Portfolio: Cross Cutting
Key Decision: Not Applicable
Within Policy and Budget Framework: Not Applicable
Public / Private: Public

Title: OPERATION OF THE PROVISIONS RELATING TO CALL-IN AND URGENCY
Report of: Corporate Director of Governance and Regulatory Services
Report Number: GD.03/20

Purpose / Summary:

To report on the operation of call-in and urgency since the previous report to Council on 5 November 2019.

Recommendations:

That the position be noted.

Tracking

Executive:	N/A
Scrutiny:	N/A
Council:	7 January 2020

1. BACKGROUND

This report has been prepared in accordance with Rule 15(i) of the Overview and Scrutiny Procedure Rules which deals with the procedure in respect of occasions where decisions taken by the Executive are urgent, and where the call-in procedure should not apply. In such instances the Chairman of the Council (i.e. the Mayor) or in her absence the Deputy Chairman of the Council must agree that the decision proposed is reasonable in the circumstances and should be treated as a matter of urgency.

The record of the decision and the Decision Notice need to state that the decision is urgent and not subject to call-in. Decisions, which have been taken under the urgency provisions, must be reported to the next available meeting of the Council together with the reasons for urgency.

2. OPERATION OF THE PROVISIONS RELATING TO CALL IN AND URGENCY

The Executive, at their meeting held on 18 November 2019, gave consideration to reports concerning the undernoted matters. The Mayor had agreed that the said decisions were urgent and, for the reasons stated, that the call-in process should not be applied to the decisions:

Warm Homes Fund Grant Award – Rural Homes:

The awarding body expected that the City Council confirm acceptance of the grant (if awarded) very soon after the grant was offered, or the offer may be withdrawn. If a call-in was received, call-in procedures may delay such acceptance, thereby prejudicing the Council's interests.

The Council was, however, subsequently informed that the bid application was un-successful and the report was therefore withdrawn.

Innovate UK Project No. 34290, Scaling On-Street Charging Infrastructure

If a call-in was received, call-in procedures would delay the granting of Executive approval for future involvement in this collaborative project, thereby prejudicing the Council's interests.

Furthermore on 16 December 2019, the Executive gave consideration to reports (public and private) concerning the Tullie House Business Plan 2019/20; which matter was scrutinised by the Health and Wellbeing Scrutiny Panel on 21 November 2019.

All Members will have received copies of the reports and minutes with the Summons for the Council meeting and will have the opportunity to consider the matter on 7 January 2020. If a call-in was received it would have delayed progression to Council and the agreement of core funding for the Trust.

The Mayor therefore agreed that the above decisions were urgent and, for the reasons set out, that the call-in process should not be applied to the decisions.

3. CONCLUSION AND REASONS FOR RECOMMENDATIONS

3.1 That the position be noted.

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**Appendices
attached to report:** None

Note: in compliance with section 100d of the Local Government Act 1972 the report has been prepared in part from the following papers:

- **Carlisle City Council's Constitution**
<https://www.carlisle.gov.uk/Council/Council-and-Democracy/Constitution>
- **The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

CORPORATE IMPLICATIONS/RISKS:

Legal – Report is by the Corporate Director of Governance and Regulatory Services and legal comments are included

Finance – N/A

Equality – N/A

Information Governance – N/A