

Report to Council

Agenda
Item:

10

Meeting Date: 2 February 2021
Portfolio: Cross-cutting
Key Decision: Not applicable
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.14/21

Purpose / Summary:

To report on the operation of call-in and urgency since the previous report to Council on 5 January 2021.

Recommendations:

That the position be noted.

Tracking

Executive:	N/A
Scrutiny:	N/A
Council:	2 February 2021

1. BACKGROUND

Rule 15(i) of the Overview and Scrutiny Procedure Rules 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.

Furthermore, Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 prescribes that the intention to hold a meeting in private must be published at least 28 clear days prior to that meeting.

Where the date by which a meeting must be held makes compliance with the regulation impracticable, the Chairman of the relevant Scrutiny Panel or the Chairman of the Council may agree that the meeting is urgent and cannot reasonably be deferred.

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

The Executive, at their meeting held on 13 January 2020, considered a number of reports relating to the Council's 2021/22 Budget as follows:

- Budget Update - Revenue Estimates 2021/22 to 2025/26
- Revised Capital Programme 2020/21 and Provisional Capital Programme 2021/22 to 2025/26
- Treasury Management Strategy Statement, Investment Strategy and Minimum Revenue Provision Strategy 2021/22
- Provisional Local Government Finance Settlement 2021/22
- Executive Response to the Budget Consultation and Recommendations for the 2021/22 Budget

The Council will consider the 2021/22 Budget at its Special Meeting on 2 February 2021. If a call-in was to be received on any of the items, the call-in procedure would overlap the City Council meeting.

The Executive's draft Budget recommendations have been considered by the Business and Transformation Scrutiny Panel. All Members will have received copies of the Minutes and Reports with the Summons for the Special Council Meeting and will have the opportunity to debate the Executive's Budget recommendations at the Council meeting on 2 February 2021. It was considered that any delay caused by a call-in on any of these items would seriously prejudice the Council's interest in progressing the Budget. For the above reasons, the Mayor has agreed that the above decisions are urgent and that the call-in process should not be applied.

The Executive, at their meeting on 13 January 2021, also considered the Green Homes Local Authority Delivery Phase 1b. It was likely that any grants awarded would have to be accepted quickly and a call in would prejudice the Council's interests as any delay in accepting the grant may result in the loss of the monies.

For the reasons set out, the Mayor has agreed that the above decisions are urgent and that the call-in process should not be applied.

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:

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

PROPERTY SERVICES – Not applicable

FINANCE – Not applicable

EQUALITY – Not applicable

INFORMATION GOVERNANCE – Not applicable