

Report to Council

Meeting Date: 14 September 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.59/21

Purpose / Summary:

To report on the operation of call-in and urgency since the previous report to Council on 14 September 2021.

Recommendations:

That the position be noted.

Tracking

Executive:	N/A
Scrutiny:	N/A
Council:	14 September 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 Chair 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 2 August 2021, considered a report regarding an Application to Sustainable Warmth Competition (LAD Phase 3 And Home Upgrade Grants (HUG)).

If a call-in was received, the call-in procedures would overlap the deadline for the submission of the application. Any delay caused by the call-in process would prejudice the Council's interests in terms of submitting the application.

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

Furthermore, the Executive, at their meeting held on 31 August 2021, considered the following reports which were referred to Council:

Medium Term Financial Plan 2022/23 – 2026/27

Capital Investment Strategy 2022/23 – 2026/27

Asset Management Plan 2022 – 2027

Carlisle Plan 2021 – 2023

Delivery of Affordable Housing in Carlisle

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 items at the Council meeting on 14 September 2021.

It was considered that any delay caused by a call-in would prejudice the Council's interests in delaying approval of the matters. The Mayor therefore agreed that the above decisions

were urgent and, for the reasons set out above, 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 None
attached to report:

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