

# Report to Council

Agenda  
Item:

18.

Meeting Date: 2 March 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.24/21

## Purpose / Summary:

To report on the operation of call-in and urgency since the previous report to Council on 2 February 2021.

## Recommendations:

That the position be noted.

## Tracking

Executive:	N/A
Scrutiny:	N/A
Council:	2 March 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 8 February 2021, considered reports concerning the undernoted matters:

- Homelessness Prevention and Rough Sleeping Strategy 2021-26 (GD.15/21) – considered by the Health and Wellbeing Scrutiny Panel on 28 January 2021
- Local Environment (Climate Change) Strategy (PC.04/21) – considered by the Health and Wellbeing Scrutiny Panel on 14 January 2021; and the Economic Growth Scrutiny Panel on 21 January 2021
- Revenue Budget Overview and Monitoring Report: April to December 2020 (RD.56/20) – considered by the Business and Transformation Scrutiny Panel on 18 February 2021
- Capital Budget Overview and Monitoring Report: April to December 2020 (RD.57/20) – considered by the Business and Transformation Scrutiny Panel on 18 February 2020

If a call-in was received, the call-in procedures would overlap the virtual City Council meeting on 2 March 2021 when the Council is scheduled to consider the matters. Any delay caused by the call-in process would prejudice the Council's interests in terms of approving the items.

- Borderlands Inclusive Growth Deal – Final Deal Agreement (ED.06/21) – considered by the Economic Growth Scrutiny Panel on 21 January 2021

If a call-in was received, the call-in procedures would overlap the special virtual City Council meeting on 23 February 2021 when the Council is scheduled to consider the matter. Any delay caused by the call-in process would prejudice the Council's interests in terms of approving the item.

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

In addition, at a special meeting held on 15 February 2021, the Executive gave consideration to proposed amendments to the 2021/22 Budget agreed by Council on 2 February 2021. Any delay caused by the call-in process would have prejudiced the Council's interests in agreeing a final Budget for 2021/22 at the special Council meeting on 17 February 2021.

For the above reason the Mayor agreed that the decision was urgent and that the call-in process should not be applied to the decision.

### **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