

CARLISLE CITY COUNCIL

Report to:- Carlisle City Council

Date of Meeting:- 13 November 2012

Agenda Item No:-

Public

**Title:- OVERVIEW AND SCRUTINY PROCEDURE RULES
CALL-IN AND URGENCY**

Report of:- DIRECTOR OF GOVERNANCE

Report reference:- GD.58/12

Summary:-

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 Mayor 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 needs 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 reasons for urgency.

At the meeting of the Executive on 29 October 2012 the Executive considered the following reports which were referred to Council.

These items are all to be considered by the Council at its meeting on 13 November 2012. If a call-in were to be received on any of the items, the call-in procedure would overlap the City Council meeting.

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

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 13 November 2012.

(i) **Draft Statement of Gambling Policy**

Copies of the above report were submitted to and considered by the Licensing Committee on 17 October 2012. It was felt that any delay caused by a call-in would prejudice the Council's interests by delaying approval of the Statement of Gambling Policy.

(ii) **Higher Level Stewardship Grant**

Copies of the above report were submitted to and considered by the Environment and Economy Overview and Scrutiny Panel on 25 October 2012. It was felt that any delay caused by a call-in would prejudice the Council's interests by delaying acceptance of the Higher Level Scheme grant.

(ii) **Highways Claimed Rights**

The matter was considered by the Environment and Economy Overview and Scrutiny Panel on 13 September 2012. It was considered that any delay caused by a call-in would prejudice the Council's interests in delaying approval on the way forward.

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

The Mayor has further agreed that the following Portfolio Holder Decisions taken by Councillor Colin Glover (Deputy Leader; and Economy and Enterprise Portfolio Holder) on 20 September 2012 were urgent and that the call-in process should not be applied to those decisions for the reasons stated:

- **PF.002/12 – That the meeting of the Executive Scheduled for 1 October 2012 should be cancelled.** If a call-in was received, the call-in procedures would have overlapped the Executive meeting date.
- **PF.003/12 – To vote 'Yes' in favour of a Business Improvement District Ballot.** If a call-in was received, the call-in procedures would overlap the date of the vote.

Recommendation:-

That the position be noted.

Contact Officer: Morag Durham

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Mark Lambert
Director of Governance

Impact assessments

Does the change have an impact on the following?

Equality Impact Screening	Impact Yes/No?	Is the impact positive or negative?
Does the policy/service impact on the following?		
Age	No	N/A
Disability	No	N/A
Race	No	N/A
Gender/ Transgender	No	N/A
Sexual Orientation	No	N/A
Religion or belief	No	N/A
Human Rights	No	N/A
Health inequalities	No	N/A
Rurality	No	N/A

If you consider there is either no impact or no negative impact, please give reasons:

Any impact would be dealt with within the body of the reports referred to

If an equality Impact is necessary, please contact the P&P team.