

# CARLISLE CITY COUNCIL

**Report to:- Carlisle City Council**

**Date of Meeting:- 17 July 2012**

**Agenda Item No:-**

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**Public**

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

**Report of:- DIRECTOR OF GOVERNANCE**

**Report reference:- GD.38/12**

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## **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 5 April 2012, the Executive considered a report concerning the Interim Planning Statement: Housing which was referred to Council for approval. The matter was considered by the Council at its meeting on 1 May 2012. If a call-in had been received, the call-in procedure would have overlapped the City Council meeting; and it was considered that any delay caused by a call-in would prejudice the Council's interests by delaying approval of the matter.

**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**

The Executive at their meeting on 2 July 2012, considered the following reports which were referred to Council. These items are all to be considered by the Council on 17 July 2012. If a call-in were to be received on any of the items, the call-in procedure would overlap the City Council meeting.

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 17 July 2012.

(i) Food Law Enforcement Service Plan

The above report was referred to the Community Overview and Scrutiny Panel for consideration, however, the Panel resolved that it would not be considered as an individual Agenda item. It was considered that any delay caused by a call-in would prejudice the Council's interests by delaying approval of the Food Law Enforcement Plan and the General Plan 2012 - 2013.

(ii) Carlisle and Eden Crime and Disorder Reduction Partnership Plan

The above report was referred to the Community Overview and Scrutiny Panel for consideration, however, the Panel resolved that it would not be considered as an individual Agenda item. It was considered that any delay caused by a call-in would prejudice the Council's interests by delaying approval of the Carlisle and Eden Crime and Disorder Reduction Partnership Plan.

(iii) Botchergate Conservation Area Appraisal

The matter was considered by the Environment and Economy Overview and Scrutiny Panel on 21 June 2012. It was felt that any delay caused by a call-in would prejudice the Council's interests by delaying adoption of the Botchergate Conservation Area Appraisal and Management Plan.

(iv) Clean-Up Carlisle

It was considered that any delay caused by a call-in would prejudice the Council's interests by delaying consideration of the matter by Council.

In addition, the Executive considered a private report on Land and Property Transactions. The properties were scheduled to be offered for sale by public auction on 10 July 2012. An urgent and binding decision therefore required to be taken by the Executive prior to that date. Any delay caused by the call-in process would therefore prejudice the Council's interests.

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 the decisions.

**Recommendation:-**

That the position be noted.

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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.