

CARLISLE CITY COUNCIL

Report to:- Carlisle City Council

Date of Meeting:- 1 May 2012

Agenda Item No:-

Public

**Title:- OPERATION OF THE PROVISIONS RELATING TO CALL-
IN AND URGENCY**

Report of:- Director of Governance

Report reference:- GD.24/12

Summary:- To report on the operation of call-in and urgency over the past 12 months.

Recommendation:- That the report be noted and the current procedures on the operation of call-in and urgency be continued.

Contact Officer: Rachel Rooney

Ext: 7039

M D Lambert

Director of Governance

May 2012

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

1. BACKGROUND INFORMATION

- 1.0 This report has been prepared in accordance with Rule 15(j) of the Overview and Scrutiny Procedure Rules which requires the operation of the provisions relating to call-in and urgency to be monitored annually, and a report submitted to Council.

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

2.1 CALL-INS

During the 2011/12 Municipal Year there have been no call ins.

2.2 URGENCY RULES

Rule 15(l) of the Overview and Scrutiny Procedure Rules provides that call-in procedures shall not apply where a decision being taken by the Executive is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest.

In these circumstances, the Chairman of the Council (i.e. the Mayor) has to agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.

During the 2011/12 Municipal Year, the Mayor has agreed that the following decisions of the Executive were urgent and should not be subject to call-in procedures. The reasons for the Mayor's decision were set out in the decision notice at the time and in most cases the reason for urgency has been to enable items to be considered and debated by all Members at a full meeting of the City Council without an unreasonable delay. If the items had been called in the process would have overlapped the next Council meeting.

2.2.1 Executive – 18 April 2011

EX.050/11 – Accommodation review: Options for Vacated Bousteads Grassing Office Space

Executive – 27 June 2011

EX.060/11 Provisional General Fund Revenue Outturn 2010/11

- EX.061/11 Provisional Capital Outturn 2010/11 and Revised Capital programme 2011/12
- EX.062/11 Treasury Management Outturn 2010/11
- EX.077/11 Strategic Audit Plan and Audit Plan for 2011/12
- EX.078/11 Certification of Claims and Returns – Annual Report

Executive 30 August 2011

- EX.098/11 Draft Medium Term Financial Plan (Incorporating the Corporate Charging Policy) 2012/13 to 2016/17
- EX.099/11 Draft Capital Strategy 2012/13 to 2016/17
- EX.100/11 Draft Asset Management Plan 2011-2016
- EX.101/11 Core Strategy Issues and Options Paper

Executive 31 October 2011

- EX.127/11 Botchergate Conservation Area Appraisal and Management Plan (Draft)
- EX.128/11 Discretionary Rate Relief Policy
- EX.130/11 Sustainable Energy Project at Civic Centre, Carlisle
- EX.138/11 Review of Polling Arrangements
- EX.139/11 Discretionary Rate Relief Policy

Executive 19 December 2011

- EX.181/11 Local Environment Database

Executive 16 January 2012

- EX.002/12 Budget 2012/13 – Revenue Estimates – Summary of Overall Budgetary Position 2012/13 to 2016/17
- EX.003/12 Budget 2012/13 – Provisional Capital Programme 2012/13 to 2016/17
- EX.004/12 Treasury Management Strategy Statement, Investment Strategy and Minimum Revenue Provision Strategy 2012/13
- EX.005/12 Executive Response to the Budget Consultation and Recommendations for the 2012/13 Budget

Executive 15 February 2012

- EX.016/12 Housing Strategy 2012-2016

Executive 17 February 2012

EX.033/12 Budget 2012/13 – Consideration of Proposed Amendments Agreed by the City Council on 7 February 2012

2.3 ITEMS NOT IN FORWARD PLAN

The following list details key decisions which have been considered by the Executive on the date shown under General Exception rules as they were not included in the Leader's Forward Plan.

18 April 2011

EX.052/11 – Options for Collaboration with Eden District Council

27 June 2011

EX.067/11 Response to Eden District Council's Invitation to Collaborate

EX.081/11 Land and Property Transactions – Asset Review
Disposal Programme

26 July 2011

EX.082/11 Draft medium Term Financial Plan (Incorporating the Corporate Charging Policy) 2012/13 to 2016/17

EX.083/11 Draft Capital Strategy 2012/13 to 2016/17

EX.084/11 Draft Asset management Plan 2011-2016

EX.085/11 Food Law Enforcement Service Plan

EX.086/11 Cumbria Strategic Waste Partnership's Enhanced Partnership Working Project – Conclusions of Stage 1

EX.087/11 Sustainable Energy Projects

EX.088/11 Carlisle and Eden Crime and Disorder Reduction Partnership Plan

EX.089/11 Capital Planned Enhancements to Council Property

30 August 2011

EX.102/11 Discretionary Rate Relief Policy

Ex.103/11 Review of Hostel Charges 2011/2

EX.117/11 Enforcement Action Update o

31 October 2011

EX.130/11 Sustainable Energy Project at Civic Centre, Carlisle

22 November 2011

EX.152/11 Discretionary Rate Relief

EX.163/11 Discretionary Rate Relief

12 December 2011

EX.168/11 Proposed Changes to Senior Management Team

19 December 2011

EX.175/11 Sustainable Energy Project at Civic Centre, Carlisle

EX.182/11 Economic Development Acquisitions on

16 January 2012

EX.013/12 Economic Development Acquisition

EX.014/12 Cecil Street Car Park on

15 February 2012

EX.017/12 Interim Planning statement – Housing

EX.018/12 Carlisle City Centre Business Improvement District and Formation of
City Centre Management Company

17 February 2012

EX.033/12 Budget 2012/13 – Consideration of Proposed Amendments Agreed by
the City Council on 7 February 2012

5 April 2012

EX.053/12 Eden Garden Waste Collection

EX.054/12 Herbert Atkinson House

3.0 SUMMARY

- 3.1 In the past 12 months there have been no call-in(s). Procedures to deal with call-ins are in place and a pro-forma is available for Members to use in calling in decisions on which Members are asked to identify the reasons for the call-in. The identification of specific reasons gives Portfolio Holders the opportunity to be prepared and briefed at call-in meetings although identifying the specific reason is not mandatory in the call-in process. It is considered that the system and processes already in place to deal with call-ins are satisfactory.
- 3.2 With regard to the urgency rules, the decisions on items deemed by the Mayor to be urgent and not subject to 'call in' have related to instances where recommendations from the Executive have been referred to the City Council for decision and the call-in period would overlap the date of the City Council.

4.0 RECOMMENDATIONS

- 4.1 That the report be noted and the current procedures on the operation of call-in and urgency be continued.

5.0 IMPLICATIONS

- Staffing/Resources – Nil
- Financial – Not required
- Legal – report is by the Director of Governance and any legal comments are included
- Corporate – The report satisfies a requirement of the Overview and Scrutiny Procedure Rules
- Risk Management – Not required
- Equality Issues – Not required
- Environmental – Not required
- Crime and Disorder – Not required
- Impact on Customers – None directly but monitors performance against the use of call-in and urgency

M D Lambert

Director of Governance