



COUNCIL, 13 JULY 2016

REPORT OF THE CHIEF EXECUTIVE

**SUBJECT: OVERVIEW AND SCRUTINY RULES – EXCEPTIONS TO
THE CALL-IN (REQUISITION) PROCEDURE**

SUMMARY

Under paragraph 18e of the Overview and Scrutiny Procedure Rules, the Leader of the Council is required to submit reports to Council on decisions taken by himself, Cabinet or individual Cabinet members, or key decision made by a member of staff in the circumstances set out in Rule 18 (exemption to the call-in (requisition) procedure) in the preceding three months.

This report deals with 2 such decisions:

- 1) The acquisition of property 35 Briar Road Leasehold flat for vacant possession to enable site assembly for the proposed Briar Road development scheme
- 2) The acquisition of property 23 Briar Road Leasehold flat for vacant possession to enable site assembly for the proposed Briar Road development scheme

RECOMMENDATIONS

That the report be noted.

REPORT DETAIL

- 1 Rule 18 of the Overview and Scrutiny Committee Procedure Rules provides that:
 - (a) The call-in procedure shall not apply where a decision being taken by Cabinet or an individual Cabinet member, or a key decision made by a member of staff is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interests. The record of the decision and notice by which it is made shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in.**
 - (b) The decision making person or body can only take an urgent decision under (a) above and avoid the call-in procedures after obtaining agreement from the Chairman of the Board that the decision be treated as urgent.**
- 2 On behalf of Cabinet, Isobel Cattermole, Interim Deputy Chief Executive Children, Adults & Housing, sought agreement from the Chairman of the Board to exempt from call-in a key decision by the Leader of the Council and the Cabinet Member for Housing concerning the acquisition of 35 Briar Road Leasehold flat for vacant possession to enable site assembly for the proposed Briar Road development scheme.
 - 2.1 The Chairman of the Overview & Scrutiny Board, Councillor Gillian Ford, gave her agreement to the exemption from call-in for the following reason:
 - 2.2 The critical date for completion of the purchase was Friday 27th May, of which other third parties were reliant upon. Delay would significantly affect the situation of parties under legal contract with the Council and cause potential financial issues for all parties involved.
3. On behalf of Cabinet, Isobel Cattermole, Interim Deputy Chief Executive Children, Adults & Housing, sought agreement from the Chairman of the Board to exempt from call-in a key decision by the Leader of the Council and the Cabinet Member for Housing concerning the acquisition of 23 Briar Road Leasehold flat for vacant possession to enable site assembly for the proposed Briar Road development scheme

- 3.1 The Chairman of the Overview & Scrutiny Board, Councillor Gillian Ford, gave her agreement to the exemption from call-in for the following reason:
- 3.2 The critical date for completion of the purchase was Friday 27th May, of which other third parties were reliant upon. Delay would significantly affect the situation of parties under legal contract with the Council and cause potential financial issues for all parties involved.

Financial Implications and Risks:

While there were financial implications around the decisions described in this report, there are none directly associated with this report.

Legal Implications and Risks:

There are no immediate legal implications directly associated with this report.

Human Resource Implications and Risks:

There are none directly associated with this report.

Equalities and Social Inclusion Implications and Risks:

There are none directly associated with this report.

Staff Contact:	Andrew Beesley
Designation	Committee Administration & (Interim) Member Services Manager
Telephone No:	01708 432437
Email:	andrew.beesley@onesource.co.uk

Background paper List

- 1. Key decisions by the Cabinet Member for Housing concerning the acquisitions of 23 and 35 Briar Road Leasehold flats for vacant possession to enable site assembly for the proposed Briar Road development scheme, dated 25 May 2016.