



COUNCIL, 23 November 2022

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: OVERVIEW AND SCRUTINY RULES – EXCEPTION 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 decisions made by a member of staff in the circumstances set out in Rule 18 (exemption to the call-in (requisition) procedure) within the previous 3 months.

This report lists matters exempt from call-in between 2 March 2022 and 14 November 2022.

RECOMMENDATIONS

That the report be noted.

REPORT DETAIL

1. Rule 18 of the Overview and Scrutiny Committee Procedure Rules provides that:

- (b) 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.

(c) 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. A list of the Executive Decisions where exemption from call-in was granted between 24 February 2022 and 14 November 2022 appears below.

Decision	Decision Maker	Date	Reason for Special Urgency
1. Acceptance of Grant Funding through the Social Housing Decarbonisation Fund	Section 151 Officer, Jane West	24.02.222	Special Urgency was requested on account of the strict deadline of 28th February 2022 imposed by the Department for Business, Energy and Industrial Strategy for return of the signed Memorandum of Undertaking. Failure to meet the deadline would have resulted in the withdrawal of the grant award.
2. Options for supporting those in need residents in Havering	Section 151 Officer, Dave McNamara	24.03.2022	It was essential to have the free school meals provision for half-term in May in place in order to communicate with vulnerable families as soon as possible. The rising cost of energy bills also meant that it was important to have agreement to the fund for the Emergency Assistance Scheme (EAS) in place.
3. Havering Employment Brokerage Support General Exception- call-in Waived	Section 151 Officer, Dave McNamara	31.03.2022	It was imperative to accept ESF finance in order to continue the project seamlessly from 1 st April 2022.
4. Approval to increase the hourly rate for providers on the Council's homecare framework for the financial year 2022 -2023	Cabinet Member for Health and Adult Care	31.03.2022	Made under Special Urgency Provisions – in order to provide clarity in the relationship with providers, for their planning purposes and for complex system changes within the local authority it was essential that the new rate was decided upon by the 31st March, prior to the start of the new financial year.

Council, 23 November 2022

5.	Approval for a 3 year Adults EDT Section 75 Agreement	Cabinet Member for Health and Adult Care	31.03.2022	Made under Special Urgency Provisions. It was important that the new Section 75 Agreement was decided upon by the 31st March, prior to the start of the new financial year and to maintain continuity of provision
6.	Settlement of Compensation Following a Property Acquisition for the Regeneration of Rainham and Beam Park	Director of Regeneration, Neil Stubbings	01.07.2022	To avoid legal action against the Council
7.	Agreement to bid for funding for Supported Housing at Aldwych Close form the DfE's Children's Home Capital Programme 2022-2025	Leader of the Council, Cllr Ray Morgon	25.08.2022	The Chairman of the Overview & Scrutiny Board gave permission to waive Call-in in order to allow a bid for funding to be submitted to the Department of Education by the deadline of 2 September 2022
8.	Application for grant funding under the Social Housing Decarbonisation Fund (SHDF) Wave 2	Leader of the Council, Cllr Ray Morgon	10.11.2022	The Chairman of the Overview & Scrutiny Board gave permission to waive Call-in in order to allow a bid for funding to be submitted to the Department for Business, Energy and Industrial Strategy by the deadline of 18 November 2022

Financial Implications and Risks:

While there were financial implications around the decision 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.

Council, 23 November 2022

Staff Contact:
Designation
Email:

Alison McKane
Monitoring Officer
Alison.McKane@onesource.co.uk

Background paper List

None