



**COUNCIL, 22 NOVEMBER 2023**

## **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 2023 and 9 November 2023.

### **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. A list of the Executive Decisions where exemption from call-in was granted between 2 March 2023 and 9 November 2023 appears below.

- The decisions taken under Special Urgency Provisions had less than five days' notice on the Forward Plan.
- The decisions taken under General Exception Provisions had more than 5 days', but less than 28 days' notice on the Forward Plan.
- The decisions where Call-in was waived in accordance with Rule 18 of the Overview and Scrutiny Committee Procedure Rules in the Constitution were on the Forward Plan for 28 days' or more.

Decision		Decision Maker	Date	Reason for Urgency
1.	North East London Virtual Ward Fund 2022/23	s151 officer- Dave McNamara	31.03.2023	This decision was taken under General Exception Provisions to ensure that funding was in place for the beginning of the financial year
2.	Adult Social Care Yearly Uplift - Supported Living	Barbara Nicholls	06.04.2023	This decision was taken under Special Urgency Provisions. With the agreement of the Chairman of Overview & Scrutiny Board, Call-in was waived as any delay likely to be caused by the process would have seriously prejudiced the Council's or the public interests
3.	Adult Social Care Yearly Uplift - Direct Payments	Barbara Nicholls	06.04.2023	This decision was taken under Special Urgency Provisions. With the agreement of the Chairman of Overview & Scrutiny Board, Call-in was waived as any delay likely to be caused by the process would have seriously prejudiced the Council's or the public interests
4.	Adult Social Care Yearly Uplift - Homecare and Commissioned Live in Care	Barbara Nicholls	06.04.2023	This decision was taken under Special Urgency Provisions. With the agreement of the Chairman of Overview & Scrutiny Board, Call-in was waived as any delay likely to be caused by the process would have

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				seriously prejudiced the Council's or the public interests
5.	Adult Social Care Yearly Uplift - Residential and Nursing Care	Barbara Nicholls	06.04.2023	This decision was taken under Special Urgency Provisions. With the agreement of the Chairman of Overview & Scrutiny Board, Call-in was waived as any delay likely to be caused by the process would have seriously prejudiced the Council's or the public interests
6	Secure Children's Home for London and Pan-London Commissioning Vehicle	Cllr Ray Morgon, Leader of the Council	20.04.2023	This decision was taken under Special Urgency Provisions. With the agreement of the Chairman of Overview & Scrutiny Board, Call-in was waived as any delay likely to be caused by the process would have seriously prejudiced the Council's or the public interests
7.	Extension of Waste Contract	Chief Executive- Andrew Blake-Herbert	27.04.2023	This decision was taken under Special Urgency Provisions. With the agreement of the Chairman of Overview & Scrutiny Board, Call-in was waived as any delay likely to be caused by the process would have seriously prejudiced the Council's or the public interests
8.	Award of Asbestos Contract	s151 officer- Dave McNamara	05.05.2023	This decision was taken under General Exception Provisions. With the agreement of the Chairman of Overview & Scrutiny Board, Call-in was waived as any delay likely to be caused by the process would have seriously prejudiced the Council's or the public interests
9.	In year Fees & Charges price increase school meal charges to Primary Schools	s151 officer- Dave McNamara	10.08.2023	Made under General Exception Provisions. With the agreement of the Chairman of Overview & Scrutiny Board, Call-in has been waived in order that the grant funding can be accepted by the end of the school year
10.	Royal Jubilee Court	Director of Living Well, Patrick Odling-Smee	19.10.2023	With the agreement of the Chairman of Overview & Scrutiny Board, Call-in was waived as any delay likely to be caused by the process would have seriously prejudiced the Council's or the public interests and delayed the re-opening of the facility to address acute homelessness in the Borough.
11.	Tithe Barn National Highways Company Funding Application	Leader of the Council	09.11.2023	With the agreement of the Chairman of Overview & Scrutiny Board, Call-in was waived as any delay likely to be caused by the process would have seriously prejudiced the Council's or the public interests and

				prevented submission of an application for funding by the deadline date.
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**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.

Staff Contact:  
Designation  
Email:

Gavin Milnthorpe  
Monitoring Officer  
[Gavin.milnthorpe@haverling.gov.uk](mailto:Gavin.milnthorpe@haverling.gov.uk)

**Background paper List**

None