



CABINET

15 May 2024

Subject Heading:

Comments of Overview and Scrutiny Board on Upheld Requisitions

Cabinet Member:

Councillor Ray Morgon

Officer Lead:

Sandy Hamberger, Statutory Scrutiny Officer

Report Author and contact details:

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Policy context:

It is a requirement of the Constitution that an upheld requisition is referred back to Cabinet for consideration.

Financial summary:

No implications of this covering report.

Is this a Key Decision?

Not applicable as referral of upheld requisitions only.

When should this matter be reviewed?

A summary of the responses given by Cabinet should be presented to the Overview and Scrutiny Board at its next scheduled meeting.

Reviewing OSC:

Overview and Scrutiny Board

The subject matter of this report deals with the following Council Objectives

People - Supporting our residents to stay safe and well

Place - A great place to live, work and enjoy X

Resources - Enabling a resident-focused and resilient Council

SUMMARY

Following the upholding of two requisitions of recent Executive Decisions relating to Mercury Land Holdings, the views of the Board and its reasons for upholding the requisitions are attached for response by Cabinet.

RECOMMENDATIONS

1. That Cabinet considers the comments made by the Overview and Scrutiny Board (attached) and decides whether or not to proceed with the original decisions as planned.
2. That Cabinet gives the reasons for its responses to the upheld requisitions of the Executive Decisions and these are recorded in the minutes.

REPORT DETAIL

At its meeting on 7 May 2024, the Overview and Scrutiny Board upheld requisitions of the following Executive Decisions:

1. Authorisation to provide additional equity funding to Mercury Land Holdings Ltd to enable the purchase of sites in accordance with the approved 2023-26 MLH Business Plan
2. Disposal of Council-owned sites to Mercury Land Holdings

Under Overview and Scrutiny Procedure Rule 17 (g) of the Council's Constitution, the Cabinet is required to consider the comments of the Board on these matters and to provide a response to them. A summary of the views of the Board is therefore attached to this report, as are the original Executive Decision reports (exempt appendices not available to press or public).

Cabinet is free to continue with the original decisions or to amend these as it wishes. In all cases though, reasons for its response should be given and recorded in the minutes of the meeting.

REASONS AND OPTIONS

Reasons for the decision:

The consideration by Cabinet of an upheld requisition is a requirement of the Council's Constitution.

Other options considered:

If Cabinet were to proceed with the decisions without considering the views of the Overview and Scrutiny Board, this would be in breach of the Overview and Scrutiny Procedure Rules laid down in the Constitution.

IMPLICATIONS AND RISKS

Financial implications and risks:

None of this covering report. Implications of the decisions themselves are given in the relevant Executive Decision reports.

Legal implications and risks:

The requisition procedure is shown under Overview and Scrutiny Procedure Rule 18 in part 4 of the Council's Constitution.

Human Resources implications and risks:

None of this covering report. Implications of the decisions themselves are given in the relevant Executive Decision reports.

Equalities implications and risks:

None of this covering report. Implications of the decisions themselves are given in the relevant Executive Decision reports.

Health and Wellbeing implications and Risks

None of this covering report. Implications of the decisions themselves are given in the relevant Executive Decision reports.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

None of this covering report. Implications of the decisions themselves are given in the relevant Executive Decision reports.

BACKGROUND PAPERS

None.

Appendices:

Comments of Overview and Scrutiny Board

Executive decision reports:

1. Authorisation to provide additional equity funding to Mercury Land Holdings Ltd to enable the purchase of sites in accordance with the approved 2023-26 MLH Business Plan (exempt appendix not available to press or public).
2. Disposal of Council-owned sites to Mercury Land Holdings (exempt appendix not available to press or public).