

AGENDA MANAGEMENT SHEET

Name of Committee

Council

Date of Committee

15 May 2007

Report Title

Monitoring of Decisions under the Urgency and Call-In procedure

Summary

Standing Orders set out the procedure for urgent decisions. This includes a monitoring process whereby urgent decisions are reported to Council and whereby the operation of the urgency and call-in procedures are monitored annually.

This report advises the Council of urgent decisions taken during the period 1 April 2006 – 31 March 2007 and monitors the use of the urgency and call-in arrangements over the same timeframe.

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Would the recommended decision be contrary to the Budget and Policy Framework?

No.

Background papers

Consent to Urgent Decision and Call-in Notices

CONSULTATION ALREADY UNDERTAKEN:-

Details to be specified

- Other Committees
- Local Member(s) Not applicable
- Other Elected Members
- Cabinet Member
- Chief Executive
- Legal Sarah Duxbury
- Finance
- Other Chief Officers

- District Councils
- Health
- Police
- Other Bodies/Individuals

FINAL DECISION YES

SUGGESTED NEXT STEPS: Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

Council – 15 May 2007

**Monitoring of Decisions taken under the Urgency and
Call-In procedures**

**Report of the Strategic Director of Performance and
Development**

Recommendation

That the report be noted.

1. Introduction

This report summarises decisions taken under the urgency procedure during the period 1 April 2006 and 31 March 2007. The report also contains an annual monitor of the use of both the urgency procedures and the call-in procedures.

2.0 Procedure for decisions taken under the Urgency Procedure

Standing Order 16 sets out the procedure for consideration of issues requiring urgent decision and where any delay likely to be caused by call-in would seriously prejudice the Council's or the public's interest.

This procedure requires the consent of the Chair of the relevant Overview and Scrutiny (or in his/her absence the Chair of Council, or in his/her absence the Vice-Chair of Council).

The consent is given on the basis that:

- (i) the decision proposed is reasonable in all the circumstances; and
- (ii) the decision should be treated as an urgent matter; and
- (iii) where the proposed decision is contrary to or not wholly in accordance with the Policy Framework or Budget it is not practicable to convene a quorate meeting of the full Council.

The Constitution requires that decisions taken under the urgency procedure are reported to Council. Paragraph 2.2 below summarises urgent decisions taken in accordance with this procedure during the period 1st April 2006 to 31st March 2007.

3.0 Decisions Taken under the Urgency Procedure

3.1 Saltisford Project – Cabinet 25 May 2006

This exempt (non-public) report was concerned with the revised funding arrangements, proposals for the procurement of the fitting-out works, and proposals for the management of variations in forecast expenditure in relation to the Saltisford project. It also updated Members on the progress on the occupation of Saltisford Buildings 1 and 2 and the progress made on the planning and procurement of Building 3.

The report was urgent as revisions to the estimated costs of the project required Cabinet approval and deferring the matter to the next available Cabinet meeting (which would have been 15th June 2006) would have jeopardised the planned relocation of the Children Young People and Families Directorate during the school summer holidays and resulted in a more problematic transfer during term time.

The Cabinet gave approval to revised funding arrangements, proposals for the procurement of the fitting-out works, and proposals for the management of variations in forecast expenditure. (A full record of the decision is set out in the exempt minutes of the meeting).

3.2 Safer Neighbourhoods Policing Areas – Cabinet 13th July 2006

This public report set out Warwickshire Police's proposals to reconfigure the deployment of their local teams in new areas. The County Council, the five local Crime and Disorder Reduction Partnerships and the local Councils were being consulted upon the proposals. The views of the Warwick Area Committee in support of the recommendations in the report were circulated before the meeting.

The report was urgent as there was a need to respond to Warwickshire Police's proposals for safer neighbourhood policing areas.

The Cabinet noted the proposals put forward by Warwickshire Police for operational deployment of their resources on a neighbourhood area basis and responded that whilst these were not appropriate structures for locality working for the County Council, we would continue dialogue with the Police and the Police Authority as to how we can make our locality approaches effective together.

3.3 Bishop Wulstan School – Cabinet 8th March 2007

This public report related to the response from stakeholders to the Cabinet's proposals to close the Bishop Wulstan Catholic School with effect from 31st August 2007. The report also asked the Cabinet to consider, in the light of the response to the consultation, the publication of statutory notices setting out the intention to close the school. A supplementary report relating to the consultation responses and the draft minutes of the Rugby Area Committee meeting on the 7 March had been circulated before the meeting.

The report was urgent to allow sufficient time to follow the statutory process and still enable final determination to be made in mid May 2007 for a September 2007 closure if, as a result of the statutory process, closure of the school was decided.

Cabinet having considered the responses from stakeholders to its proposals to close Bishop Wulstan Catholic School with effect from 31st August 2007, authorised the publication of statutory notices setting out the Authority's intention to close the school.

3.4 Rugby Western Relief Road – Cabinet - 29th March 2007

This exempt (non-public) report related to increases in costs to the project since last reported to Cabinet on 1st February 2007 due to circumstances beyond the Council's control. The Cabinet considered a revised costs estimate for Rugby Western Relief Road as a result of rail and utility matters required to be addressed in order to complete the project.

The report was urgent as the Council needed to approve the revised cost estimates before the Department for Transport could issue Full Approval for the scheme (which fixes the level of the DfT contribution). Given the Easter parliamentary recess delay by the Council would have delayed approval by Ministers and foreshortened the earthworks season.

Cabinet approved the revised estimate for Rugby Western Relief Road following the recent increases in costs due to circumstances beyond the Council's control.

4.0 Annual Monitor of the Use of the Urgency Procedure

4.1 There have been 4 instances of use of the consent to urgency procedure over the last year (between 1st April 2006 and 31st March 2007).

4.2 This shows a decrease on the 8 occasions when the urgency procedure was used in 2005/06 and is the lowest use of the procedure since it has been in operation (6 in 2004/05, 10 in 2003/04, 11 in 2002/03).

5.0 Decisions subject to the call-in procedure

5.1 Standing Orders 11-13 set out the procedure for call-in whereby executive decisions made by Cabinet, Area Committees and officers may be 'called-in' by Members for consideration by the relevant overview and scrutiny committee.

5.2 Since 1st April 2006 to 31 March 2007 the call-in procedure has been used on one occasion. This related to call-in exercised by Cllr Seccombe under Standing Order 12 (Cabinet Call-in of Area Committee Executive Decisions).

- 5.3 The decision called-in was a decision of the Stratford Area Committee on 15th March 2006 in relation to the zebra crossing at Rushbrook Road, Stratford Upon Avon. The reasons given in the call-in notice were as follows; 'lack of opportunity to assess the impact on local residents. Criteria very low for need for crossing. Assess other measures as alternative'.
- 5.4 As a result of the call-in, the matter was considered by the Cabinet on 4th May 2006. Following a debate on the issue which considered the arguments and also petitions both in support of and against the proposal, the matter was put to a vote and Cabinet endorsed the decision taken by the Area Committee.

6.0 Conclusion

The number of requests for consent to urgent decisions, which is the lowest since the procedure has been in operation, and the low use of call-in suggests that there is no need to review these procedures.

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19 April 2007