

County Council

16 May 2023

Annual Monitor of use of the Urgency and Call-in Procedures May 2022 to April 2023

Recommendation

That Members note the content of the report.

1. Introduction

- 1.1 The use of the Council's call-in and urgency procedures is monitored annually in accordance with Standing Order 19.1 of the Council's Constitution. This report summarises the decisions taken under the urgency procedure and the use of call-in from May 2022 to the end of April 2023.

2. Procedure for decisions to be treated as urgent.

- 2.1 Standing Order 18 sets out the procedure for consideration of issues requiring an urgent decision and where any delay likely to be caused by call-in would seriously prejudice the Council's or the public's interest.
- 2.2 This procedure requires the consent of the Chair of the relevant Overview and Scrutiny Committee (or in his/her absence the Chair of Council, or in his/her absence the Vice-Chair of Council).
- 2.3 The consent is given on the basis that:
- the decision cannot reasonably be deferred; and
 - the decision should be treated as a matter of urgency; and
 - 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.
- 2.4 Group Leaders are advised whenever an urgent decision is proposed, and the decision (and any supporting report) is published on the Council's website and all members notified. In addition, the Leader is required to report to Council each year on the details of each decision taken under the procedure and the reasons for their urgency.

3. Procedure for call-in

- 3.1 Executive decisions (i.e. those taken by Cabinet, Cabinet Portfolio Holder or Officer Key Decisions) can be called-in for consideration by the relevant Overview and Scrutiny Committee. The Chair of the Committee or four members can call in a decision within 5 days of the publication of the decision unless the decision has been subject to the urgency procedure described at section 2 above. (The procedure for call-in is set out at Standing Order 13.) Call-in delays the implementation of a decision and can have an impact on the speed of decision making in an authority if it is used extensively.

4. Annual Monitor of the Use of the Urgency Procedure

There have been eleven instances of use of the consent to urgency procedure over the last year. This is a reduction on the figures for 2020/21 and 2021/22.

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23
6	8	6	5	11	8	7	17	15	12	11

5. Decisions Taken under the Urgency Procedure from May 2022 to April 2023

5.1 [12 May 2022 – Approval for Household Support Fund](#)

The Leader of the Council was asked to approve the Household Support Fund Offer in the event that the Secretary of State makes additional funding available to be expended before 30 September 2022.

The decision was considered to be urgent due to the DWP requirement that the first lot of money be spent before half term starting on the 30th May 2022. Schools needed to be contacted at least two weeks before so this funding could be allocated to families in need.

The Chair of the Resources and Fire & Rescue Overview and Scrutiny Committee therefore gave his consent for this to be an urgent decision and the decision was approved

5.2 [8 June 2022 \(exempt\) – Children’s Home Property Purchase A](#)

The Leader of the Council was asked to approve a decision in relation to the purchase of a property for a Children’s Home.

The decision was considered to be urgent due to Warwickshire County Council’s conditional offer being accepted and the need for the sale to be completed to enable the project to proceed.

The Chair of the Resources and Fire & Rescue Overview and Scrutiny Committee therefore gave his consent for this to be an urgent decision and the decision was approved

5.3 [29 June 2022 - Multiply investment plan and funding application to the Department of Education](#)

The Leader of the Council was asked to approve the submission of the Multiply investment plan and funding application on behalf of the Warwickshire area to the Department of Education.

The decision was considered to be urgent due to the Government’s deadline for submitting the investment plan/ funding application and the timescales for expenditure in 2022/ 2023.

The Chair of the Resources and Fire & Rescue Overview and Scrutiny Committee therefore gave his consent for this to be an urgent decision and the decision was approved.

5.4 [1 September 2022 \(exempt\) - Warwickshire County Council Response to the Teachers Pay and Conditions Consultation 2022](#)

The Portfolio Holder for Customer and Transformation was asked to approve Warwickshire County Council's response to the Local Government Association (LGA) survey.

The decision was considered to be urgent owing to the time available to seek views on the consultation and in order to meet the LGA deadline for response of 5 September 2022.

The Chair of the Resources and Fire & Rescue Overview and Scrutiny Committee therefore gave his consent for this to be an urgent decision and the decision was approved.

5.5 [21 September 2022 – Air Quality Grant bid to DEFRA](#)

The Portfolio Holder for Adult Social Care & Health was asked to approve a submission for a funding bid to the Air Quality Grant Scheme 2022/2023 from The Department for Environment, Food and Rural Affairs which was open to all Local Authorities in England.

The decision was considered to be urgent due to the deadline for submissions to DEFRA.

The Chair of the Adult Social Care & Health Overview and Scrutiny Committee therefore gave her consent for this to be an urgent decision and the decision was approved.

5.6 [3 October 2022 \(exempt\) – AI Radar Monitoring Procurement](#)

The Leader of the Council was asked to give her authorisation for the undertaking of a procurement exercise for the purchase of Artificial Intelligence sensors. The Council needed to secure Artificial Intelligence Radar Monitoring Equipment to record, collect and analyse data accurately for developing schemes and strategies for all modes of transport and updating traffic modelling tools. These developments and schemes can include but are not limited to new housing developments, new or improved cycling and walking facilities and improvements to road layouts

The decision was considered to be urgent due to the need to commence monitoring urgently, the limited windows of opportunity for undertaking survey work and the need to ensure work is back to pre-pandemic baselines.

The Chair of the Resources and Fire & Rescue Overview and Scrutiny Committee and The Chair of the Communities Overview and Scrutiny Committee therefore gave their consent for this to be an urgent decision and the decision was approved.

5.7 [2 December 2022 \(exempt\) – Lease of Saltisford Building 1](#)

The Portfolio Holder for Finance and Property was asked to approve the granting of a lease for the first floor of Saltisford Building 1 to a third party.

The decision was considered to be urgent due to requirement of the tenant being able to take possession in December 2022 or having to go elsewhere, meaning that the Council could lose the rental opportunity.

The Chair of the Resources and Fire & Rescue Overview and Scrutiny Committee therefore gave his consent for this to be an urgent decision and the decision was approved.

5.8 [9 December 2022 \(exempt\) – Developer Funded Scheme Approval](#)

The Leader of the Council was asked to authorise the Strategic Director for Communities, in consultation with the Portfolio Holder for Transport to appoint contractors to undertake developer funded Section 278 highways schemes.

The decision was considered to be urgent to prevent further delays to the highway scheme and ensure that the offered tendered price was held.

The Chair of the Resources and Fire & Rescue Overview and Scrutiny committee therefore gave his consent for this to be an urgent decision and the decision was approved.

5.9 [16 December 2022 \(exempt\) - Warwickshire County Council Response to the School Teachers Pay 2023/2023 Consultation](#)

The Portfolio Holder for Customer and Transformation was asked to approve Warwickshire County Council's response to the Local Government Association survey to help inform the National Employers' Organisation for School Teachers response in respect of the government consultation on the School Teachers Pay 2023/24.

The decision was considered to be urgent due to the time available to seek views on the consultation and in order to meet the LGA deadline for response

The Chair of the Resources and Fire & Rescue Overview and Scrutiny Committee therefore gave his consent for this to be an urgent decision and the decision was approved.

5.10 [17 February 2023 \(exempt\) - Approval to submit bid to the Active Travel Fund 4](#)

The Portfolio Holder for Transport and Planning was asked to approve the submission of a bid to round 4 of the Active Travel Fund and delegated the final scope of the bid and specific projects to the Assistant Director for Communities and the Strategic Director for Resources.

The decision was considered to be urgent owing to the deadlines from Active Travel England and a Government embargo which was not lifted until the 6 February 2023.

The Chair of the Communities Overview and Scrutiny Committee therefore gave his consent for this to be an urgent decision and the decision was approved.

5.11 [28 February 2023 – Fast Followers Competition](#)

The Portfolio Holder Environment, Climate & Culture was asked to approve the submission of a bid for grant funding under the UK research institute Fast Followers competition in the sum of £300,000.

The decision was considered to be urgent owing to the deadlines for entry to the competition.

The Chair of the Communities Overview and Scrutiny Committee therefore gave his consent for this to be an urgent decision and the decision was approved

6. Annual Monitor of the use of Call-in

The number of call-ins has remained low over the last ten years, with no call-ins between 2017 and 2021. There were three call-ins during 2021/2022 but this has reduced to one over the last twelve months.

12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23
1	2	2	5	1	0	0	0	0	3	1

7. Executive decisions called-in for consideration by the relevant Overview and Scrutiny Committee from May 2022 to April 2023.

7.1 [9th May 2022 - The implementation of 20mph speed limits](#)

On the 12th April 2022, Cabinet considered recommendations made by the 20mph Task and Finish Group which had been convened following a motion at full council to consider the evidence, cost, impact and/or benefit of 20mph speed limits in residential areas including schools and other sites of wider interest across Warwickshire.

The decision was called in for further scrutiny by four Councillors.

A meeting of the Communities Overview and Scrutiny Committee was held to consider the call-in request.

The decision was made that no further action would be taken in relation to the call-in and the original decision made by Cabinet was progressed to implementation.

In addition, it was agreed that a member seminar be held to clarify the 20mph limit process for members which was subsequently arranged..

8. Conclusion

Following a sharp rise in the number of urgent decisions made by Warwickshire County Council in 2019/202 as a result of the Coronavirus Pandemic, the number has fallen for the third year running.

This can, in part, be attributed to the reduction in the need for urgent decisions made in response to the Pandemic, with only one decision being made which in part had a Covid bearing.

As with all urgent decisions made over the last four years, none were given consent because of officer oversight; the main factor in the majority of cases was external deadlines/requirements that were outside of the Council's control.

Following three call-ins in 2021/22, the last twelve months saw just one call-in. That the number of call ins has reduced after a small increase is an indication that the call-in process is not being used to cause unnecessary delay or frustration of the decision-making process.

9. Financial Implications

There have been no direct financial implications for the Council directly as a result of these urgent decisions

10. Environmental Implications

Any environmental implications arising from these urgent decisions were covered in the relevant reports submitted.

11. Background papers

None

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The report was circulated to the following members prior to publication:

Local Member(s): None

Other members: None