

Appendices: 0



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

21st September 2015

Agenda Status: Public

Directorate: Borough Secretary

Report Title	Exemption from call-in and urgent executive decisions.
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1. Purpose

- 1.1 To report to Council on the use of the power contained in the Constitution to exempt a decision from call-in where the decision being taken is urgent.

2. Recommendations

- 2.1 Council is recommended to note the content of this report.

3. Issues and Choices

3.1 Report Background

- 3.1 When a decision is made by the Cabinet, or an individual Cabinet Member or a Key Decision is made by an Officer with delegated authority, that decision is subject to call-in for scrutiny. A decision may be implemented after the call-in period has expired, unless the Overview and Scrutiny Committee exercises the right to call-in within that period.
- 3.2 Paragraph 15.10 of the Overview and Scrutiny Procedure Rules in the Constitution sets out that the call-in procedure shall **not** apply where the decision being taken is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. It is necessary for the Mayor to agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.
- 3.3 The Overview and Scrutiny Procedure Rules require that decisions taken as a matter of urgency must be reported to the next available meeting of the Council. This report complies with this requirement.

- 3.4 Council is therefore asked to note that the Cabinet Member for Regeneration, Enterprise and Planning made a delegated decision on 7th July 2015 that was treated as a matter of urgency and was not therefore subject to call-in. The Mayor agreed that the decision was reasonable in all the circumstances and to it being treated as a matter of urgency. A summary of the decision is set out below:

The approval of:

- a) The acquisition of the freehold interest in the property at 42 Sheep Street, subject to a maximum purchase price of £250,000 that would include taxes on the acquisition, to help support wider development and to promote economic regeneration in the locality.
- b) Authority being delegated to the Director of Regeneration Enterprise and Planning, in consultation with the Cabinet Member for Regeneration Enterprise and Planning.

- 3.5 The reason for the urgency was that:

The auction of 42 Sheep Street was due to take place on Thursday 9th July 2015 and the Council had only very recently been made aware of the proposed disposal at auction of 42 Sheep Street by Legal and General. The Council wished to facilitate a comprehensive scheme of development at the former Greyfriars Bus Station site. The strategic acquisition of the property at 42 Sheep Street would have been an opportunity to integrate the property into the Council's adjacent landholdings and enhance the development potential of the wider scheme of development at Greyfriars. If the Council was not able to participate in the auction on 9th July, due to any delay likely to be caused by the call-in process, this could have resulted in loss of an opportunity for the Council to potentially purchase the property and redevelop the plot to support wider Council objectives.

- 3.6 Whilst this decision was made to acquire the property, the Council was unsuccessful at auction.

- 3.7 The decision was exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 None.

4.2 Resources and Risk

- 4.2.1 None.

4.3 Legal

4.3.1 Contained within the body of the report.

4.4 Equality

4.4.1 There are no direct equality and diversity implications arising from this report.

4.5 Other Implications

4.5.1 None.

5. Background Papers

5.1 None

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