

TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

25 April 2006

Report of Chief Executive

Part 1- Public

Matters For Information

1 OVERVIEW AND SCRUTINY PROCEDURE RULE 15

The Constitution requires the Chief Executive to submit a report to Council whenever the urgency provisions under Overview and Scrutiny procedure Rule 15(i) are used. This report outlines where these provisions have been invoked in respect of a change to fees for local land charges searches and enquiries and the future availability of all-day concessionary bus passes.

1.1 Change to Fees for Local Land Charges Searches and Enquiries

1.1.1 At the meeting of the Cabinet on 5 April 2006 an urgent item of late business was accepted in respect of an increased fee for local land charges searches and enquiries as a result of Kent County Council levying a fee for highways information. In view of the need to apply the new fees from 18 April 2006 following appropriate notification arrangements, it was decided to invoke the urgency provisions under Overview and Scrutiny Procedure Rule 15(i). This provides that the call-in procedure shall not apply where the delay would seriously prejudice the Council's or the public's interest.

1.1.2 The Cabinet resolved that the revised table of charges be adopted with effect from 18 April 2006 and, with the concurrence of the Chairman of the Scrutiny Committee and the Group Leaders, that the decision was an urgent one and therefore not subject to call-in (Decision No 060090CAB).

1.2 Concessionary Fares – All Day Passes

1.2.1 At the same meeting of the Cabinet a further urgent item of late business was accepted following receipt of updated information on the cost of the discretionary All-day free travel bus pass which could involve the Council in substantial unbudgeted costs. Due to the need to clarify the position as soon as possible after the free travel scheme came into effect on 1 April 2006, the urgency provisions were invoked.

1.2.2 In view of the prohibitively high cost of the All-day pass, the Cabinet resolved to allow current holders to use them for free travel until their expiry on 30 June 2006

but to issue no new All-day passes and, with the concurrence of the Chairman of the Scrutiny Committee and the Group Leaders, that the decision was an urgent one and therefore not subject to call-in (Decision No 060091CAB).

1.3 Legal Implications

1.3.1 Under the Council's Constitution Overview and Scrutiny Procedure Rule 15(i) provides that executive decisions taken as a matter of urgency must be reported to the next appropriate meeting of the Council together with the reasons for urgency.

1.4 Financial and Value for Money Considerations

1.4.1 Not applicable.

1.5 Risk Assessment

1.5.1 Not applicable.

Background papers:

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Cabinet reports and decision notices

David Hughes
Chief Executive