

# TONBRIDGE & MALLING BOROUGH COUNCIL

## COUNCIL

22 February 2007

### 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 proposed leases of the treatment room at Tonbridge Swimming Pool.**

#### **1.1 Background**

1.1.1 At the meeting of the Finance and Property Advisory Board on 3 January 2007 consideration was given to proposed terms and conditions for three leases of the newly created treatment room at the Health Suite, Tonbridge Pool. On the recommendation of the Advisory Board the Cabinet Member for Efficiency and Innovation approved the terms and conditions as outlined in the Central Services Director's report. In view of the need for all tenants to be in occupation by early January, 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 In order that the decision could be implemented immediately it was resolved, 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 D07007MEM).

#### **1.2 Legal Implications**

1.2.1 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.

**1.3 Financial and Value for Money Considerations**

1.3.1 Not applicable.

**1.4 Risk Assessment**

1.4.1 Not applicable.

Background papers:

contact: David Hughes

Cabinet Member decision notice

David Hughes  
Chief Executive