

# TONBRIDGE & MALLING BOROUGH COUNCIL

## COUNCIL

1 November 2011

### Report of the 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 invoked. This report outlines where these provisions have been invoked in respect of responses to consultations on Localising Support for Council Tax and the National Planning Policy Framework.**

#### **1.1 Introduction**

- 1.1.1 At the meeting of the Cabinet on 12 October 2011 consideration was given to formulating responses to two significant Government consultations in respect of Localising Support for Council Tax in England and a draft National Planning Policy Framework.
- 1.1.2 In view of the fact that the consultation deadlines were 14 October and 17 October 2011 respectively, it was decided to invoke the urgency provisions under Overview and Scrutiny Procedure Rule 15(i) in each case. This provides that the call-in procedure shall not apply where the delay would seriously prejudice the Council's or the public's interest.
- 1.1.3 In order that the decisions could be implemented immediately it was resolved, with the concurrence of the Chairman of the Overview and Scrutiny Committee and the Leader of the Opposition, that the normal call-in procedure be set aside to allow the responses to be submitted by the specified deadlines (Decision Numbers D110138CAB and D110141CAB).

#### **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 None at this stage arising from response to the consultations.

**1.4 Risk Assessment**

1.4.1 No risks at this stage arising from response to the consultations.

Background papers:

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Nil

David Hughes  
Chief Executive