

# TONBRIDGE & MALLING BOROUGH COUNCIL

## COUNCIL

21 November 2012

### 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 the response to a consultation on Localising Support for Council Tax.**

#### **1.1 Introduction**

- 1.1.1 At the meeting of the Finance and Property Advisory Board on 26 September 2012 consideration was given to formulating a response to a Government consultation in respect of the calculation of the council tax base for local precepting authorities (parishes). On the recommendation of the Advisory Board the Cabinet Member for Finance approved the draft response as set out in the report of the Director of Finance.
- 1.1.2 In view of the fact that the consultation deadline was 9 October 2012, 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.
- 1.1.3 In order that the decision could be implemented immediately it was resolved, with the concurrence of the Chairman of the Overview and Scrutiny Committee and the Group Leaders, that the normal call-in procedure be set aside in order that the Council's ability to respond by the return deadline of 9 October 2012 was not prejudiced (Decision Number D120121MEM).

#### **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 consultation.

**1.4 Risk Assessment**

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

Background papers:

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Nil

David Hughes  
Chief Executive