

## REPORT ON EXECUTIVE DECISIONS OF URGENCY

### Executive Summary

Procedure Rule 15(h) of the Council's Overview and Scrutiny Procedure Rules ("the Rules"), as set out in the Constitution, provides for urgent decisions of the Executive to be taken without the option for call-in. The provision specifies that a decision will be urgent if any delay likely to be caused by the call-in process would be seriously prejudicial to the Council's or the public's interests. Where decisions are taken as a matter of urgency, they must be reported to the next available meeting of the Council.

This report sets out the details of the urgent decisions taken by the Executive in March 2019 in accordance with the provisions of Procedure Rule 15(h).

### Recommendations

The Committee is requested to:

**RESOLVE That** the use of the provisions of Procedure Rule 15(h) of the Overview and Scrutiny Procedure Rules be noted.

The Council has the authority to determine the recommendation set out above.

**Background Papers:** None.

**Reporting Person:** Councillor David Bittleston, Leader of the Council  
Email: [cllrdavid.bittleston@woking.gov.uk](mailto:cllrdavid.bittleston@woking.gov.uk)

**Contact Person:** Frank Jeffrey, Democratic Services Manager  
Email: [frank.jeffrey@woking.gov.uk](mailto:frank.jeffrey@woking.gov.uk), Extn: 3012

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### 1.0 Introduction

- 1.1 Rule 15 – Call-in – of the Council’s Overview and Scrutiny Procedure Rules (“the Rules”) requires the submission of a report to Council on any executive decisions taken in accordance with Rule 15(h).

### 2.0 Overview and Scrutiny Procedure Rules

- 2.1 Rule 15 sets out the Council’s procedure for Call-in and includes provision for executive decisions to be taken as urgent where any delay likely to be caused by the call-in process would be seriously prejudicial to the Council’s or the public’s interests. The Rule states that decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

- 2.4 At its meeting on 28 March 2019, the Executive considered two matters of business under the provisions of Rule 15(h), the details of which are set out below and in a report later on the agenda under Part II – press and public excluded.

(i) Sheerwater Regeneration.

At its meeting on 28 March 2019, the Executive resolved that:

- (i) the Council shall give effect to the obligations in respect of planning applications PLAN/2018/0374 and PLAN/2018/0337 set out in Appendix 5 (amended 28 March 2019) to the supplementary report, if (a) the local planning authority grants the planning permissions sought and (b) those planning permissions are implemented by, or on behalf of, the Council;
- (ii) the Council shall procure that any third-party to whom it grants an interest in the Council-owned land is bound by the obligations in respect of planning applications PLAN/2018/0374 and PLAN/2018/0337 set out in Appendix 5 (amended 28 March 2019) to the supplementary report; and
- (iii) resolves (i) and (ii) above are “urgent” and will take immediate effect (so are not subject to “call-in”). This is because any delay likely to be caused by the call-in process would be seriously prejudicial to the Council’s interests (as it is necessary that the local planning authority is aware, when it considers planning applications PLAN/2018/0374 and PLAN/2018/0337 on 9 April 2019, whether the Council (as landowner) is prepared to give the obligations referred to).

(ii) School Place Provision.

At its meeting on 28 March 2019, the Council considered an item entitled School Place Provision under Part II (press and public excluded) of the agenda. The decisions of the Executive were treated as urgent in accordance with the provisions under Rule 15(h) of the Overview and Scrutiny Procedure Rules.

Full details of the decisions taken, and the reasons for an exception to Rule 13 of the Access to Information Procedure Rules, are set out later on the agenda under Part II – Press and Public Excluded.

REPORT ENDS