

Divisions Affected – N/A

COUNCIL – 1 April 2025

THE USE OF URGENCY PROVISIONS

Report by Director of Law & Governance and Monitoring Officer

RECOMMENDATION

1. **Council is RECOMMENDED to note**

(a) the exemption from Call-in of the following decision:

- Cabinet on 20 March 2025 - Initial Response to Government: Statutory invitation for Local Government Reorganisation and Devolution

Executive Summary

2. The Constitution makes provision for urgent decisions to be made exempt from call-in on the agreement of the Chair of the Council. When this occurs, it must be reported to the next meeting of Council.
3. There was one occasion on which this provision was used since the last meeting of Council on 11 February 2025. The Chair of the Council, Councillor Rooke, agreed in this case that the matter should be treated as urgent and agreed to waive the call-in period.
4. In each case, it was proposed that the decision should not be subject to call-in due to the requirement to implement the decision by a deadline set by Central Government or legislation. The individual circumstances are detailed below.

Urgency Provisions

5. The Constitution states (Part 6.2, Section 20) that the provision for Call-In “shall not apply where the decision being taken by the Cabinet, Officer or other decision maker is urgent. A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council’s or the public’s interests. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision maker, the decision is an urgent one, and therefore not subject to call in. The Chair of the Council must agree that in all the circumstances the decision should be treated as a matter of urgency. In the absence of the Chair, the Vice-Chair’s agreement shall be

required. In the absence of both, the Proper Officer's agreement shall be required. Decisions taken as a matter of urgency must be reported to the next meeting of the Council, together with the reasons for urgency."

6. The Leader of the Council called an extra meeting of Cabinet on 20 March 2025 in order to agree an initial response to a statutory invitation from the Government on Devolution and Local Government Reorganisation. The deadline to submit the response to the Minister of State for Local Government and English Devolution was 21 March 2025. It would not have been possible to meet that deadline if the decision had been subject to call-in.

Financial Implications

7. There are none arising from this report which is noting decisions previously taken.

Comments checked by:

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Legal Implications

8. Regulation 19 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires that the executive leader submits a report to the authority at least annually on executive decisions taken in cases of special urgency (Regulation 11), including the particulars of each decision.

This report is fulfilling both the legal and Constitutional duty to inform Council.

Comments checked by:

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Annex: None

Background papers: None

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March 2025