



Westminster Scrutiny Commission

Meeting:	Westminster Scrutiny Commission
Date:	21 March 2013
Classification:	For General Release
Title:	Constitutional Issues – Call-In
Wards Affected:	Not Applicable
Financial Summary:	There are no financial implications
Report of:	Mick Steward, Head of Committee and Governance Services, Tel: 020 7641 3134; Email: msteward@westminster.gov.uk

1. Executive Summary

- 1.1 The City Council's Constitution requires that the Westminster Scrutiny Commission should receive a report on an annual basis on the operation of the call-in procedures also setting out details of the time in which the urgency provisions have been used to exclude the call-in provisions. Details of the times on which this has been activated are set out in paragraph 3.1 below.

2. Recommendations

- 2.1 That the occasions on which the call-in provisions have been exempted as set out in paragraph 3.1 below be noted.
- 2.2 That the remainder of the report be noted.

3. Background, including Policy Context

- 3.1 The Chief Executive, having in each case consulted the Leader of the Council, has exempted on grounds of the urgency the following reports during the last 12 months from the call-in procedures.

3.1.1 Maida Vale Library: Reason for Exemption from Call-In

The project had already been delayed during the procurement stage and the repairs to the roof were required urgently as further delays were causing further repairs to be required.

3.1.2 Grosvenor Waterside, SW1

The Council received an option notice from the landlord/developer giving a strict and very tight legal timescale to complete the purchase of ground rents. Insufficient information was provided by the landlord/developer to satisfy the Council's solicitors. A short extension of time was granted but this was still insufficient and consequently the call-in provisions had to be exempted.

3.1.3 Purchase of Property: 40 Wellington Road, St John's Wood, NW8

Approval was required to ensure the City Council was in a position to bid to purchase at auction. The timescale to conduct legal due diligence sufficient to satisfy the Council's solicitors and to prepare a Cabinet Member report was significantly greater than the three weeks advance notice given by the seller of his intention to auction the property. Consequently the call-in provisions had to be exempted.

3.2 The Council's Constitution requires that decisions taken as a matter of urgency must be reported to the Westminster Scrutiny Commission, together with the reasons for urgency, on an annual basis.

3.3 The Constitution also requires the operation of the call-in provisions to be monitored annually by the WSC with proposals for review, if necessary. The call-in provisions have been triggered on one occasion during the last 12 months by the Westbourne Ward Councillors. No issues associated with the operation of the call-in provisions have arisen during the last 12 months and no changes are recommended.

4. Financial Implications

4.1 There are no financial implications.

5. Legal Implications

5.1 There are no legal implications arising from this report.

6. Other Implications

6.1 None.

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Mick Steward, Tel: 020 7641 3134
Email: msteward@westminster.gov.uk**

BACKGROUND PAPERS

- None.

Committees\WSC\Meetings 2012 2013\21 March 2013\Rpt Re Constitutional Issues Call In 21 March 2013