

REPORT TO:	Council		
DATE:	27 March 2025		
PORTFOLIO:	Councillor Noordad Aziz - Deputy Leader of the Council (Transformation, Education and Skills)		
REPORT AUTHOR:	Julian Joinson, Members Services Manager		
TITLE OF REPORT:	Matters Exempted from the Call-In Procedure		
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	N/A

1. Purpose of Report

1.1 To update the Council in respect of recent executive decisions taken as a matter of urgency where the decision has been exempted from the Call-In Procedure.

2. Recommendations

2.1 To note the report on recent executive decisions taken as a matter of urgency.

3. Reasons for Recommendations and Background

3.1 Rule C14 of the Overview and Scrutiny Procedure Rules sets out the provisions allowing for a period of Call-In by members of a relevant Overview and Scrutiny Committee, in respect of certain executive decisions. That Paragraph includes the detailed procedures which support this arrangement.

3.2 Paragraph C14(i) states that the call-in procedure shall not apply where the decision being taken by the executive 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 interest. The record of the decision and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in and the reason for that opinion. The Mayor must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency prior to the decision being taken. Provision is also made for consent to be obtained in the absence of the Mayor.

3.3 In addition to the above, Paragraph C14(i) 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. Previously, compliance with this Rule has been actioned by reference to the Cabinet minutes reported to Council, which includes a record of any urgent decisions taken. However, it is considered that this does not fully comply with the requirements of Rule C14(i), with regard to the need to report the reason for urgency to Council. Accordingly, it has been agreed to strengthen oversight of the use of the urgency procedure (and the disapplication of the Call-In procedure) by providing a more comprehensive update report to Council.

3.5 Recent urgent executive decisions, or Cabinet decisions where the Call-In procedure has been suspended, are summarised in Section 4 below.

4. Urgent Executive Decisions Taken

4.1 The following urgent executive decisions have been taken within the last reporting period:

4.2 Payment of Grant Funding to Hyndburn Leisure and Conclusion of the Leisure Review

The decision and reason for urgency is summarised below:

Decision (taken by the Cabinet on 29th January 2025)

- (1) That Cabinet agrees to pay Hyndburn Leisure the sum of £1,000,000.00 by way of grant to support the provision of community leisure services in the Borough in respect of the period 1st April 2024 to 31st March 2025, subject to completion of a grant funding agreement in accordance with Paragraph 3.6 of the report; and
- (2) That Cabinet note the “Leisure Management Options Report” prepared by Max Associates Ltd and attached as Appendix 2 to the report; and
- (3) That Cabinet notes that discussions will now take place between Hyndburn Leisure and the Cabinet to agree a strategy for leisure provision in the Borough going forward and that such discussions will include proposals for a review of Hyndburn Leisure’s structure and operations, together with ways of improving reporting arrangements to the Council in respect of Hyndburn Leisure’s performance and budgetary position. A further report will be brought to Cabinet in due course once such discussions have concluded.

Reason for Urgency

A subsidy to Hyndburn Leisure in respect of the current financial year is required urgently to provide assurance around its on-going operation, which will enable pricing levels, opening hours and service provision to be maintained at the current level. This will support the Council’s objective of supporting affordable and locally accessible health and wellbeing provision to help address the health inequalities in the Borough.

5. Alternative Options considered and Reasons for Rejection

5.1 None

6. Consultations

6.1 None undertaken in respect of this report.

7. Implications

Financial implications (including any future financial commitments for the Council)	These are considered within the urgency consent forms and original reports
Legal and human rights implications	These are considered within the urgency consent forms and original reports
Assessment of risk	These are considered within the urgency consent forms and original reports
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	These are considered within the urgency consent forms and original reports

**8. Local Government (Access to Information) Act 1985:
List of Background Papers**

8.1 Nil

9. Freedom of Information

9.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.