



COUNCIL - 8TH OCTOBER 2013

SUBJECT: USE OF THE MAYOR'S URGENCY POWERS FOR CABINET DECISIONS IN RELATION TO CWMCARN HIGH SCHOOL AND SCRAP METAL DEALERS ACT 2013

REPORT BY: INTERIM MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To advise Council that the Mayor has utilised his powers under the Council's Constitution to certify that the following Cabinet decisions were to be taken as a matter of urgency and therefore exempt from the Call In procedure:-
1. The Report to Cabinet on 23rd August 2013 relating to Cwmcarn High School a copy of which is attached at Appendix 1;
 2. The Report to Cabinet on 18th September 2013 relating to the Scrap Metal Dealers Act 2013 a copy of which is attached at Appendix 2.

2. THE REPORT

- 2.1 Members will be aware that subject to satisfying certain procedural requirements, a decision of Cabinet may be Called In. However a Cabinet decision may be treated as exempt from the Call In procedure if it is considered urgent and that any delay likely to be caused by the Call In process would seriously prejudice the Council's or public's interests.
- 2.2 The Mayor (or in his absence alternative provisions would apply) is permitted under the Council's Constitution to authorise a decision taken by Cabinet as urgent on the basis that the decision proposed is reasonable in all the circumstances and that it is to be treated as a matter of urgency.
- 2.3 Where a decision is taken as a matter of urgency the Council's Constitution provides that the decision must be reported to the next available meeting of the Council together with the reasons for urgency.
- 2.4 Council is therefore asked to note the provisions of each report as set out below.
- 2.5 In respect of Cwmcarn High School, members will note paragraph 13 of the Report to Cabinet states that the decision was considered urgent on the basis that the Council is under a statutory duty to provide education for pupils and the new school term was due to start on 2nd September 2013.
- 2.6 In respect of the Scrap Metal Dealers Act 2013, members will note paragraph 12 of the Report to Cabinet states that the decision was considered urgent as the provisions of the Scrap Metal Dealers Act 2013 were to be implemented on 1st October 2013.

2.7 In both cases following consultation the Mayor agreed that the decision proposed was reasonable and agreed that the decisions should be treated as urgent and consequently exempt from Call In.

3. EQUALITIES IMPLICATIONS

3.1 None. This is an information item.

4. FINANCIAL IMPLICATIONS

4.1 None. This is an information item.

5. PERSONNEL IMPLICATIONS

5.1 None. This is an information item.

6. CONSULTATIONS

6.1 This report is for noting only and as such there is no requirement to consult on the terms of this report.

7. RECOMMENDATIONS

7.1 Members are asked to note the content of the report.

8. REASONS FOR THE RECOMMENDATIONS

8.1 To comply with the requirements of the Council's constitution.

9. STATUTORY POWER

9.1 The Council's Constitution.

Author: Gail Williams, Interim Monitoring Officer

Consultees: Not required – information item only

Appendices:

Appendix 1 Report to Cabinet dated 23rd August 2013 relating to Cwmcarn High School

Appendix 2 Report to Cabinet dated 18th September 2013 relating to Scrap Metal Dealers Act 2013