

Information Report on Executive Decisions Precluded from “Call in” on Grounds of Urgency

The Authority's Constitution (Part 4 - Rules of Procedure, Section 4.5 - Overview and Scrutiny Rules of Procedure, Rule 17.1) provides that its call-in procedure set out at Rule 16 shall not apply where the decision being taken by the Executive is urgent. A decision is defined as urgent in Rule 17.1 if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interests.

The Chair of the Overview and Scrutiny Committee (or in his/her absence the Speaker of the Council) must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.

Rule 17.4 requires the reporting to the next available meeting of the Council of decisions taken by the Executive as a matter of urgency together with the reasons for urgency. Accordingly, decision(s) taken by the Executive where the above mentioned Constitutional provision has been invoked since the last ordinary meeting of the Council are set out below:-

Cabinet 25 July 2012: Agenda Item 6.3 (unrestricted) and 16.1 (exempt) ONE HOUSING (CAB 0020/123)

Decision

1. To agree 'in principle' to assign the contractual rights and obligations of Island Homes Limited contained within the Stock Transfer Agreement dated 5th December made between the Council and Toynbee Island Homes Limited to One Housing Group Limited, subject to being satisfied on further investigation by the Director of Development and Renewal into the funding issues surrounding loan covenants set out in the report that these issues are confirmed and, in addition, subject to the agreement of One Housing Group to an action plan to be monitored by the Council to improve the services.
2. Subject to 1 above being agreed as set out, to agree to novate the Pension Agreement of Island Homes Limited to One Housing Group Limited and authorise the Corporate Director of Development & Renewal in consultation with the Assistant Chief Executive (Legal Services) to agree the terms of the deed of novation.

Reason for Urgency

One Housing Group has advised that the assignment (transfer) must be completed before 1 September 2012. Given the consequences to Island Homes of not being able to renew their loan agreements and crystalizing the liabilities under the Pension Agreement it is urgent that a decision is made in order to ensure the financial stability of Island Homes.