

Agenda Item No: 3 **Report No:** 49/17

Report Title: Draft Executive Decision taken by Executive Member - Application for LDC Business Rates Discount Scheme

Report To: Scrutiny Panel – Call-in **Date:** 3 March 2017

Cabinet Member: Councillor Andy Smith

Ward(s) Affected: All

Report By: Catherine Knight – Assistant Director of Legal and Democratic Services

Contact Officer(s)-

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Purpose of Report:

To enable the Scrutiny Panel to consider and determine the call-in of the draft executive decision referred to in the report.

Officers Recommendation(s):

- 1 To resolve -
 - (i) **either** not to intervene in the draft Executive Member Decision detailed in Appendix C; **or**
 - (ii) to refer the draft Executive Member Decision back to the Executive Member for further consideration and to take account of any recommendations of this Panel.
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Reasons for Recommendations

- 1 To comply with the Scrutiny Call-in procedure specified in Rule 16 of the Council's Constitution (reproduced at Appendix A).

Information

- 2 A draft Executive Member Decision was taken by Councillor Andy Smith, Leader of the Council, on 8 February 2017 (the formal record of which is attached at Appendix C).
- 3 The draft decision of the Leader of the Council was called-in by Councillors Carter, Catlin, Gardiner, Murray and Rowell for the reasons stated in Appendix

D and this request was supported by six members of the Scrutiny Committee, namely Councillors Carter, Gardiner, Ient, O’Keeffe, Osborne and Peterson.

Financial Appraisal

- 4 The Financial Implications of this draft decision are set out in paragraph 6.1 of the report to the Cabinet Member (Appendix B attached).

Legal Implications

- 5 The requirements for a valid call-in, as specified in Procedure Rule 16, have been met in relation to this particular call-in. The only two options open to the Panel in determining the matter are those given in the officers’ recommendations above.

Should the Panel decide to refer the decision back to the Executive Member, that person must reconsider the decision as soon as is reasonably practicable.

Lawyer consulted 24.2.17. Legal ref: 006110-OD-LDC

Risk Management Implications

- 6 I have completed the Risk Management checklist and this report does not require a risk assessment.

Equality Screening

- 7 I have completed the initial Equality Impact Assessment screening exercise and have identified no negative impacts arising from this Report. Therefore, a full Equality Impact Assessment is not required.

Background Papers

- 8 None

Appendices

- 9 Appendix A – Council Constitution, Scrutiny Procedure Rule 16

Appendix B – Report: Application for LDC Business Rates Discount Scheme

Appendix C – Details of draft Executive Decision taken by the Leader of the Council on 8 February 2017

Appendix D – Copy of email with Councillor J Carter, S Catlin, P Gardiner, S Murray and T Rowell’s reasons for proposing Call-in