
RECOMMENDATION FROM OVERVIEW & SCRUTINY PANEL FOLLOWING CALL IN OF THE MANSTON AIRPORT CABINET DECISION

To: **Cabinet – 20th January 2015**

Main Portfolio Area: **All**

By: **Councillor Johnston, Leader of the Council & Cabinet Member for Community Services**

Classification: **Unrestricted**

Ward: **All Wards**

Summary: **To consider the recommendations from the Overview & Scrutiny Panel following the Call In of the decision taken by Cabinet on 11th December 2014.**

For Decision

1.0 Introduction and Background

- 1.1 On the 11th December Cabinet considered a report following the soft market testing exercise to identify a CPO Indemnity Partner for Manston Airport.
- 1.2 Following consideration of that report Cabinet decided the following:
1. That no further action be taken at the present time on a CPO of Manston Airport, on the basis that the Council has not identified any suitable expressions of interest that fulfil the requirements of the Council for a CPO indemnity partner and that it does not have the financial resources to pursue a CPO in its own right;
 2. That subject to obtaining written consent from Party A; relevant information is sent to the Minister of State for Transport for consideration.
- 1.3 The decision was subject to a Call In by the Overview & Scrutiny Panel and on 13th January 2015 following consideration of the matter it was unanimously agreed by the Panel to refer the matter back to Cabinet and to recommend as follows:
1. That the decision ‘That no further action be taken at this present time on a CPO of Manston’ be reviewed by Cabinet on receipt of new information from the Minister of Transport.
- 1.4 In the Constitution under the Rules regarding Call In at paragraph 15.0 (f) it states as follows:

If referred to the decision maker they shall then reconsider within a further 15 working days from the date of the meeting, amending the decision or not, before adopting a final decision.

- 1.5 In order to comply with the rules as set out above the matter must be referred back to this meeting of Cabinet for a final decision.

2.0 Options

- 2.1 To consider the decision taken by the Overview & Scrutiny Panel on 13th January 2015 and change the decision taken accordingly.
- 2.2 To agree that the original decision should remain unaltered.

3.0 Corporate Implications

3.1 Financial and VAT

- 3.1.1 There are no financial implications arising directly from this report.

3.2 Legal

- 3.2.1 A decision must be taken following referral back to Cabinet by the Overview & Scrutiny Panel within 15 working days

3.3 Equity and Equalities

- 3.3.1 There are no relevant matters in relation to this report.

4.0 Recommendations

That Cabinet considers the referral back from the Overview & Scrutiny Panel and agrees to adopt the recommendations that:-

- 4.1 That no further action be taken at the present time on a CPO of Manston Airport, on the basis that the Council has not identified any suitable expressions of interest that fulfil the requirements of the Council for a CPO indemnity partner and that it does not have the financial resources to pursue a CPO in its own right;
- 4.2 That this decision be reviewed by Cabinet on receipt of any new information from the Minister of Transport.

5.0 Decision Making Process

- 5.1 Cabinet is required to take a final decision following referral back from the Overview & Scrutiny Panel.

Contact Officer:	Steven Boyle, Interim Legal Services Manager & Monitoring Officer
Reporting to:	Madeline Homer, Acting Chief Executive

Annex List

Annex 1	Report to Cabinet dated 11 th December 2014
Annex 2	Due Diligence Protocol - Annex to 11 December 2014 Cabinet Report

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation Undertaken

Human Resources	EK Human Resources
Finance	Paul Cook, Interim Director of Corporate & Regulatory Services
Legal	Steven Boyle, Interim Legal Services Manager & Monitoring Officer