

REPORT ON SPECIAL URGENCY DECISIONS

Cabinet - 5 November 2020

Report of: Chief Executive

Status: For Decision

Key Decision: No

Portfolio Holder: Cllr. Peter Fleming

Contact Officer: Vanessa Etheridge, Ext. 7199

Recommendation: That the report be noted.

Reason for recommendation: To comply with the Council's governance arrangements.

Introduction

- 1 This report complies with Part 13, paragraph 12 (d) of the Council's Constitution which states that the Chief Executive has the delegated authority

'In cases of urgency, after consultation with the Leader and Deputy Leader of the Council [and, where possible, the Leader(s) of the Opposition], to take any decision which could be taken by the Cabinet or by a Committee and to report such actions to Cabinet or Committee as appropriate.
- 2 The urgent decisions were also classified as 'Key Decisions' and as such, usually subject to a notice period of 28 days. Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, allows for cases of 'special urgency' to be taken with the agreement of the Chairman of the Scrutiny Committee that the decision is 'urgent and cannot be reasonably deferred and notice is given as soon as reasonably practicable after the agreement is given.' (See also paragraph 17, Appendix A -Access to Information Procedure Rules, of the Council's Constitution.) The Chairman of Scrutiny Committee's consent was given and notices were published of the decision as soon as it was made.
- 3 In addition to the above, key decisions are subject to a call-in period and would not usually come into force until the 'expiry of five clear working days after their publication. Appendix C, paragraphs 18.3 to 18.18 of the Council's Constitution sets out call-in and urgency procedures. In these cases the Chairman of the Council agreed that that the decision proposed

was reasonable in all the circumstances and were to be treated as matters of urgency, and not be subject to call-in.

Decisions

- 4 Since it was last reported the following decisions have been taken, attached as Appendices A and B:
- Officer Decision 06 (2019/20) - Sencio Community Leisure - request for grant funding
 - Officer Decision 07 (2019/20) - Test and Trace isolation payments schemes
- 5 The decisions set out their reasons for urgency.

Key Implications

Financial

The financial implications of these decisions are included in a separate report which complies with the reporting procedures set out in Appendix D (Financial Procedure Rules) 2(d) paragraphs 2.32 and 2.33 of the Council's Constitution.

Legal Implications and Risk Assessment Statement

All relevant legislation and constitutional requirements were adhered to. Each decision sets out its reason for urgency.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusions

The decision to use the urgency provisions as set out in the report were taken in view of the pressing need for an immediate response to the crisis.

Members are asked to note this report.

Appendices

Appendix A: Officer Decision 06 (2019/20)

Appendix B: Officer Decision 07 (2019/20)

Background Papers

Council's Constitution

Dr. Pav Ramewal

Chief Executive