

# City Council – 6 March 2023

## Report of the Leader of the Council

### Corporate Director/ Director:

Director of Legal and Governance

### Report Author:

Jane Garrard, Senior Governance Officer

[jane.garrard@nottinghamcity.gov.uk](mailto:jane.garrard@nottinghamcity.gov.uk)

0115 8764315

### Title: Decisions taken under Urgency Procedures

### Does the report form part of the Budget or Policy Framework?

☐ Yes ☒ No

### Does this report contain any information that is exempt from publication?

No

### Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

## 1. Summary

- 1.1 As required by the Council's Constitution, this report informs Council of urgent decisions taken under provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13).

## 2. Recommendations

- 2.1 To note the urgent decisions taken in accordance with requirements of the Council's Constitution, as detailed in the appendices.

## 3. Reasons for recommendations

- 3.1 To ensure compliance with requirements of the Council's Constitution.

#### **4. Other options considered in making recommendations**

- 4.1 None. It is a Constitutional requirement that Council is informed of urgent decisions taken under provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13).

#### **5. Consideration of Risk**

- 5.1 Consideration of the risks associated with the decisions referred to in this report were published as part of each of those decisions.

#### **6. Background (including outcomes of consultation)**

- 6.1 Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules

The Call-in procedure set out in Article 11 of the Council's Constitution does not apply where the decision taken is urgent. A decision is urgent if any delay likely to be caused by the Call-in process would seriously prejudice the Council's or the public's interests. The urgency provisions require the Chair of the Overview and Scrutiny Committee (or in the absence of the Chair, one of the Vice-Chairs; or in the absence of all three, the Chief Executive) to agree that the decision proposed is reasonable in all the circumstances and that the reasons for urgency are valid. The Constitution requires that decisions taken under these urgency provisions are reported to the next meeting of the Standards and Governance Committee and Full Council.

- 6.2 Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules

Where it is impracticable to give at least five clear working days notice that a Key Decision is going to be made, a Key Decision may only be made in accordance with the Special Urgency provisions set out in the Access to Information Procedure Rules (Article 13 of the Council's Constitution). The Special Urgency provisions require agreement from the Chair of the Overview and Scrutiny Committee (or in the absence of the Chair, the Lord Mayor as Chair of Council; or in the absence of both, the Sheriff as Vice Chair of Council) that the decision is urgent and cannot reasonably be deferred. The Constitution requires that decisions taken under these urgency provisions are reported to the Standards and Governance Committee and Full Council.

#### **7. Finance colleague comments (including implications and value for money)**

- 7.1 Comments from Finance colleagues in relation to the decisions referred to in this report were published as part of each of those decisions.

#### **8. Legal colleague comments**

- 8.1 Comments from Legal colleagues in relation to the decisions referred to in this report were published as part of each of those decisions.

#### **9. Other relevant comments**

- 9.1 None

**10. Crime and Disorder Implications (If Applicable)**

10.1 Where applicable, details of the crime and disorder implications of the decisions referred to in this report were published as part of each of those decisions.

**11. Social value considerations (If Applicable)**

11.1 Where applicable, details of the social value considerations of the decisions referred to in this report were published as part of each of those decisions.

**12. Regard to the NHS Constitution (If Applicable)**

12.1 Where applicable, details of the social value considerations of the decisions referred to in this report were published as part of each of those decisions.

**13. Equality Impact Assessment (EIA)**

13.1 Where required, Equality Impact Assessments were published alongside each decision referred to in the report.

**14. Data Protection Impact Assessment (DPIA)**

14.1 Where required, the data protection impact of the decisions referred to in this report was assessed and, where appropriate, details published as part of each of those decisions.

**15. Carbon Impact Assessment (CIA)**

15.1 Where required, the carbon impact of the decisions referred to in this report was assessed and, where appropriate, details published as part of each of those decisions.

**16. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

16.1 None

**17. Published documents referred to in this report**

17.1 Nottingham City Council Constitution

17.2 The committee reports and minutes, and delegated decisions referred to in this report, as published on the Nottingham City Council website.

**Councillor David Mellen**  
**Leader of the Council**

### **Appendix 1 - Decisions taken under the Call-in and Urgency provisions of the Overview and Scrutiny Procedure Rules**

<b>Decision Reference</b>	<b>Date of Decision</b>	<b>Subject</b>	<b>Decision Taker</b>	<b>Consultee on Urgency</b>	<b>Reason for Urgency</b>
Executive Board minutes	21 February 2023	Medium Term Financial Plan 2023/24 – 2026/27 – decision to approve Housing Revenue Account rent setting only	Executive Board	Chair of Overview and Scrutiny Committee	The Housing Act 1985 requires tenants to receive 28 days notice of any proposed rent increase.

### **Appendix 2 – Key Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules**

No decisions were taken under this provision during this reporting period.