

City Council – 9 September 2024

Report of the Leader of the Council

Corporate Director/ Director:

Beth Brown, Director of Legal and Governance

Report Author and Contact Details:

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Title: Decisions taken under Urgency Procedures

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

Yes No

Commissioner Consideration

Has this report been shared with the Commissioners' Office? Yes No

Review by Commissioners not required

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

No

Relevant Council Plan Key Outcome:

Green, 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"/>
Living Well in our Communities	<input type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

1.1 The Council's Constitution requires that decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13) are reported to Full Council.

1.2 This report informs Council of decisions that have been taken under these provisions since the last report to Council in July 2024. During that period there have been two decisions taken under the urgency provisions within the Overview and Scrutiny Procedure Rules and no decisions taken under the special urgency provisions within the Access to Information Procedure Rules.

2. Recommendations

2.1 To note the decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) of the Constitution since the last report to Council, as set out in Appendix 1.

2.2 To note that no decisions have been taken under the special urgency provisions within the Access to Information Procedure Rules (Article 13) of the Constitution since the last report to Council.

3. Reasons for recommendations

3.1 The Council's Constitution requires that decisions taken under urgency provisions within the Overview and Scrutiny Procedure Rules (Article 11) and Access to Information Procedure Rules (Article 13) are reported to the next available meeting of Council.

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 A consideration of risk related to taking decisions referred to in this report took place at the time the decisions were taken and informed the decision making process that followed.

6. Best Value Considerations

6.1 The decisions referred to in this report were made in accordance with procedures set out in the Council's Constitution that are designed to support the efficient and effective discharge of Executive functions. These arrangements are regularly reviewed and, where necessary, amendments made.

7. Background (including outcomes of consultation)

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

7.1.1 The call-in procedure set out in Article 11 of the 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. A decision can only be taken under this urgency provision if the Chair of the Corporate Scrutiny Committee (or in the absence of the Chair, the Vice Chair; or in the absence of both, the Chief Executive) agrees that the proposed decision is reasonable in all circumstances and that the reasons for urgency are valid.

7.1.2 Since the last report to Council in May 2024, there have been two decisions taken under these urgency provisions. A summary of these decisions is set out in Appendix 1, and the decisions are available on the Council's website.

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

7.2.1 Where it is impracticable to give at least five clear working days notice of the intention to take a Key Decision, that decision may only be made in accordance with the special urgency provisions set out in the Access to Information Procedure Rules Page 24 (Article 13 of the Constitution). These special urgency provisions require

agreement from the Chair of the Corporate 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.

7.2.2 There have been no decisions taken under these urgency provisions since April 2023.

8. **Commissioner comments**

8.1 Review by Commissioners not required.

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

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

10. **Legal colleague comments**

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

11. **Other relevant comments**

11.1 None

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

12.1 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.

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

13.1 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.

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

14.1 Where applicable, regard given to the NHS Constitution in decisions referred to in this report was published as part of each of those decisions.

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

15.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because this is a monitoring report, reporting on decisions that have already been taken. Where required, EIAs were published alongside each decision referred to in this report.

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

16.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because this is a monitoring report, reporting on decisions that have already been taken. 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.

17. Carbon Impact Assessment (CIA)

17.1 Has the carbon impact of the proposals in this report been assessed?

No



CIA is not required because this is a monitoring report, reporting on decisions that have already been taken. 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.

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

18.1 None

19. Published documents referred to in this report

19.1 Article 11 Overview and Scrutiny Procedure Rules of the Council's Constitution

19.2 Article 13 Access to Information Procedure Rules of the Council's Constitution

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

**Councillor Neghat Khan
Leader of the Council**

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

Decision reference	Date of decision	Subject	Decision taker	Consultee on urgency	Reason for urgency
5141	26/06/24	Inpatient detox service 'The Level'	Executive Member for Adult Social Care and Health	Chair of Corporate Scrutiny Committee	The new contract had to be signed before the end of June 2024 to ensure there were no gaps in provision.
5146	15/07/24	Proposed extension to the Nottingham City Council Public Spaces Protection Order (PSPO) Dane Court	Executive Member for Communities, Waste and Equalities	Chair of Corporate Scrutiny Committee	To enable the PSPO to be extended before the current PSPO expired, which would have involved a lengthy and costly process.

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

There were no Key Decisions taken under the Special Urgency provisions of the Access to Information Procedure Rules during the period since the last report to Council in July 2024.