

CITY COUNCIL – 9 JUNE 2014

REPORT OF THE LEADER

DECISIONS TAKEN UNDER URGENCY PROCEDURES

1 SUMMARY

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

2 RECOMMENDATIONS

- 2.1 It is recommended that Council notes the urgent decisions taken, as detailed in appendix 1.

3 REASONS FOR RECOMMENDATIONS (INCLUDING OUTCOMES OF CONSULTATION)

- 3.1 To ensure compliance with the procedures detailed in the Council's Constitution.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 None.

5 BACKGROUND

5.1 Call-in and Urgency (Overview and Scrutiny) Procedure Rules

- 5.1 Council will be aware that the call-in procedure 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. Part 4, paragraph 15, of the Constitution requires that where a decision is taken under the urgency procedure, that decision needs to be reported to the next available meeting of Council, together with the reasons for urgency. The urgency procedure requires that the Chair of the Overview and Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and that it should be treated as a matter of urgency. In the absence of the Chair, the Vice-Chair's consent is required. In the absence of both, the Chief Executive or his nominee's consent is required. Details of the decisions made where the call-in procedure has not applied due to urgency are set out in Appendix 1.

5.2 Special Urgency – Access to Information Procedure Rules

- 5.3 The Local Authorities Executive Arrangements (Access to Information) (England) Regulations 2012 introduced a requirement for 28 clear days public notice to be given of all proposed key decisions. Where it is not possible to give the full 28 days notice, but there is time to give at least 5 clear days notice, then the General Exception procedure (as set out in Part 4 of the Constitution, paragraph 13 of the Access to Information Procedure Rules) applies. Where 5 clear days notice is also not possible, the above regulations provide for a Special Urgency Procedure (Part 4 of the Constitution, paragraph 14).

5.4 An urgent key decision may only be taken under the Special Urgency procedure where the decision taker has obtained agreement that the decision is urgent and cannot reasonably be deferred from:

- (i) the Chair of the Overview and Scrutiny Committee or
- (ii) if there is no such person, or if the Chair of the Overview and Scrutiny Committee is unable to act, the Lord Mayor (as Chair of the Council) or
- (iii) where there is no Chair of either the Overview and Scrutiny Committee or Lord Mayor, the Sheriff (as Vice Chair of Council).

Once agreement has been sought and as soon as reasonably practicable, the decision maker must publish a notice at the Council's offices and on the Council's website that the decision is urgent and cannot reasonably be deferred.

In addition the procedure requires that the Leader submits quarterly reports to Council containing details of each executive decision taken during the period since the last report where the making of the decision was agreed as a case of special urgency (paragraph 16.2, Part 4 of the Constitution).

5.5 No such decision has been taken during the period since the last report, submitted to Council in May 2014.

6 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

6.1 None.

7 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS, CRIME AND DISORDER ACT IMPLICATIONS AND EQUALITY AND DIVERSITY IMPLICATIONS)

7.1 None.

8. EQUALITY IMPACT ASSESSMENT (EIA)

8.1 An EIA is not required as the report does not relate to new or changing services or policies.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 The Council's Constitution

10.2 The delegated decisions and committee reports detailed in the appendix to this report.

**COUNCILLOR JON COLLINS
LEADER OF THE COUNCIL**

URGENT DECISIONS (EXEMPT FROM CALL-IN)

<u>Decision reference number</u>	<u>Date of decision</u>	<u>Subject</u>	<u>Value of decision</u>	<u>Decision Taker</u>	<u>Consultee on urgency</u>	<u>Reasons for urgency</u>
1453	01/05/2014	Experience Nottinghamshire Funding	£366,000	Portfolio Holder for Jobs and Growth	Chair of Overview and Scrutiny Committee	The decision is required to ensure continuity of service from April 2014.
1461	08/05/2014	Approval for Detailed Design Development and enabling work – Downtown (Sneinton Market) and Creative Catalyst (Dakeyne Street)	£800,000	Leader	Chair of Overview and Scrutiny Committee	The delay caused by call-in would seriously disadvantage the Council's or the public's interest.
1466	15/05/2014	Approval of spend to support the implementation of Individual Electoral Registration (IER)	Up to £45,750	Deputy Leader	Chair of Overview and Scrutiny Committee	To allow the purchase and installation of the scanners prior to the introduction of IER on 10 June.
1480	21/05/2014	Oracle Reporting – E-business customisation	Exempt	Deputy Leader	Chair of Overview and Scrutiny Committee	Any delay would impact on the delivery of the re-implementation of the reporting project.
1486	03/02/2014	Approval of the costs of a placement for a Child in Care	Exempt	Corporate Director for Children and Families	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.
1487	27/05/2014	Approval of the costs of a placement for a Child in Care	Exempt	Corporate Director for Children and Families	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.
1488	27/05/2014	Approval of the costs of a placement for a Child in	Exempt	Corporate Director for	Chair of Overview and Scrutiny	To allow for a timely implementation of the

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		Care		Children and Families	Committee	decision.
1489	27/05/2014	Approval of the costs of a placement for a Child in Care	Exempt	Corporate Director for Children and Families	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.
1490	27/05/2014	Approval of the costs of a placement for a Child in Care	Exempt	Corporate Director for Children and Families	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.
1491	27/05/2014	Approval of the costs of a placement for a Child in Care	Exempt	Corporate Director for Children and Families	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.
1492	27/05/2014	Approval of the costs of a placement for a Child in Care	Exempt	Corporate Director for Children and Families	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.
1493	27/05/2014	Approval of the costs of a placement for a Child in Care	Exempt	Corporate Director for Children and Families	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.
1494	27/05/2014	Approval of the costs of a placement for An Adults care package	Exempt	Corporate Director for Children and Families	Chair of Overview and Scrutiny Committee	To allow for a timely implementation of the decision.