

COVID-19: REPORT ON SPECIAL URGENCY DECISIONS

Cabinet - 16 April 2020

Report of Chief Executive
Status For consideration
Key Decision No

Portfolio Holder Cllr. Peter Fleming

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Recommendation to Cabinet: That Members note the report.

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 A total of three urgency decisions were taken.
- 3 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 decisions as soon as they were made.
- 4 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 decisions proposed were reasonable in all the circumstances and were to be treated as matters of urgency, and not be subject to call-in.

Decisions

- 5 Since the last meeting of the Cabinet the following three decisions have been taken, and are attached as Appendices A, B and C:
- Officer Decision 01 (2019/20) - Temporary Suspension of Car Parking Charges
 - Officer Decision 02 (2019/20) - Expanded Retail Discount Scheme
 - Officer Decision 03 (2019/20) - COVID-19 - Allocation of funding to support vulnerable people and communities
- 6 Each decision sets out its 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 Coronavirus pandemic (Covid-19) could not have been foreseen. When the decisions referenced in this report were made, legislation did not allow for virtual meetings (by the time this is reported this may have changed).

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. The decisions could not have waited for an extraordinary meeting of Cabinet.

Members are asked to note this report.

Appendices

Appendix A - Officer Decision 01 (2019/20) -
Temporary Suspension of Car Parking Charges

Appendix B - Officer Decision 02 (2019/20) -

Appendix C - Officer Decision 03 (2019/20) -

Background Papers

[Council's Constitution](#)

Dr Pav Ramewal

Chief Executive