

18. General Exception Decisions and Urgent Decisions

Sometimes it is impracticable to include the intention to make a Key Decision on the Forward Plan, but there is still time to give advance public notice. Such a decision may still be made in accordance with the general exception procedure if three conditions are fulfilled:

- (a) The Monitoring Officer must inform (by written notice) the Chairman of the Corporate Scrutiny Committee, or if there is no such person, each member of that Committee, of the matter about which the decision is to be made;
- (b) A copy of such notice must be placed on the website and made available for public inspection at the offices;
- (c) Five clear days must have elapsed, not counting the day upon which the copy notice was given.

As soon as practicable, the Monitoring Officer will make available a notice setting out the reasons why it was impracticable for notice of the intended decision to appear on the Forward Plan and to publish that notice on the website.

Sometimes even reduced public notice cannot be given and decisions need to be made urgently outside the usual process, e.g. reducing the pre-decision notification time. Urgency in these cases is defined as cases where the council will be significantly disadvantaged by a delay. Where these provisions are used, clear explanations must be made in the written reports.

In accordance with Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, if less than five clear days' notice of a Key Decision has to be given, or if an item has not appeared on the Forward Plan and a decision needs to be taken before the next edition of the Forward Plan is published, then the agreement of the chairman of the Corporate Scrutiny Committee (or, in their absence, the Chairman of the Council or, in their absence, the Vice-Chairman of the Council) that the making of the decision is urgent and cannot reasonably be deferred must be obtained in writing before the decision can be made. Their views must be included in the report alongside the explanation as to why the matter is urgent, why it cannot await the next edition of the Forward Plan and why it missed the last edition of the Forward Plan.

In either case, the chairman of Corporate Scrutiny Committee must report on such consultations/agreements at the next meeting of the relevant Scrutiny committee.

Call-In may be abridged or disapplied by a decision of the Cabinet or Cabinet member, if to do so is necessary to safeguard the interests of the council or of the public. In any such case, reasons for the disapplication will be discussed with the chairman (or in their absence the vice-chairman) of the relevant Scrutiny committee and the reasons for disapplying Call-In will be stated at the top of the report and further explained – with the views of the chairman of the relevant Scrutiny committee – in the body of the report. In such cases, whilst the actual decision cannot be Called-In, the relevant Scrutiny committee may ask to consider the circumstances and provide recommendations if they so wish.

Following the taking of an urgent decision, the Executive Leader will provide a full report to the next available Full Council meeting explaining the decision, the reasons for it and why it was treated as urgent.