



Purpose: To Note

Committee	FULL COUNCIL
Date	21 JULY 2021
Title	REPORT ON USE OF SPECIAL URGENCY PROVISIONS
Report of	LEADER OF THE CABINET

EXECUTIVE SUMMARY

1. The purpose of this report is for the leader of the council, who chairs the Cabinet, to inform the council of details of each executive decision taken where the making of the decision was agreed as urgent in accordance with regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

BACKGROUND

2. Normally at least 28 clear days' notice is required to be given before a "key decision" can be made by or on behalf of the Cabinet.
3. A "key decision" is an executive decision and one which is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or functions to which the decision relates, or is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral divisions.
4. It is, however, not always practicable to give such advance public notice on the Forward Plan, and it is not always practicable to give public notice by way of the general exception procedure.
5. The law and the constitution, therefore, provides the procedure under regulation 11 ('cases of special urgency') of those regulations which requires obtaining the prior agreement from the prescribed person that the making of the decision is urgent and cannot reasonably be deferred. Permission is sought from the chairman of the Corporate Scrutiny Committee in such cases. Without such agreement, the making of intended decision would be delayed.
6. Under Section 18 ('General Exception Decisions and Urgent Decisions') of Part 3 ('Responsibility for Functions' of the council's constitution, the leader is required, following the taking of an urgent decision, to provide a full report to the next available

Full Council's meeting explaining the decision, the reasons for it and why it was treated as urgent.

7. Since the leader took up office, there have been two cases of special urgency made under that regulation 11 (as at the date of writing this report – 9 July 2021).
8. The first instance related to holiday activity and food programme (HAF).
9. Councillor Steve Hastings, chairman of the Corporate Scrutiny Committee, agreed that the intended decision was urgent and could not reasonably be deferred. The urgency for the making of the intended decision was because the awards of funding need to be made in sufficient time for those who receive the funding to make the necessary arrangements to deliver the services, and the making of such intended decision cannot be reasonably deferred due to that timescale.
10. The executive decision was made by Councillor Debbie Andre, Cabinet member for Children Services, Education and Skills. It was decided that the award of holiday activity and food (HAF) summer grants to the organisations identified in Appendix 1 to the director of Children Services' report up to a total value of £274,674 be approved, and that the director of Children's Services be granted delegated authority to reallocate any underspent summer HAF grant funding to ensure an Isle of Wight wide offer, within the grant allocation for summer of £274,674, subject to prior consultation with the Cabinet member for Children's Services, Education and Skills.
11. The second instance related to COVID-19 grants.
12. Councillor Hastings, chairman of the Corporate Scrutiny Committee, agreed that the intended decision was urgent and could not reasonably be deferred. The urgency for the making of the intended decisions was because the government has recently made funding available for support and the intended decisions need to be made urgently if funding is approved in order that the funding reaches the relevant individuals/bodies in time for timely distribution.
13. The executive decision was made by Councillor Andre, Cabinet member for Children Services, Education and Skills. It was decided that the grant of £365,175 be approved for funding to schools, colleges and early years settings for them to purchase and provide one £15 food voucher per child, per week for the school summer holiday period, in accordance with the grant criteria set out in paragraph 12 of the director of Children Services' report. Vouchers will be available for all children eligible for free school meals and additionally all children with a social worker, all children open to early help, 16 to 18 year olds previously eligible for FSM, all two to four year olds accessing childcare and eligible for Early Years Pupil Premium, as described in paragraph 16 of the director of Children Services' report, that the purchase of one £75 food or fuel voucher be approved for each care leaver not forming part of the extended FSM cohort identified in paragraph 16 of the director of Children Services' report, to the total value of up to £11,250, that a grant of up to £2,000 to be made to the YMCA Alliance such that vouchers and/or gifts and/or food can be provided to young carers not in receipt of vouchers through the free school meal voucher offer. Such grant will be provided on terms to be agreed by the director of Children's Services and in accordance with the grant criteria set out in paragraph 12 of the director of Children Services' report, that delegated authority be granted to the director of Children's Services to approve community grant awards to organisations

delivering services that meet the criteria of the grant (as set out in paragraph 12 of the director of Children Services' report), for targeted financial support for those in need, in consultation with the Cabinet member. Such grants to be to a total value of £55,000, that a grant of £5,000 be made available to Citizens Advice for them to use to financially support households with fuel bills over the summer period. Such grant will be provided on terms to be agreed by the director of Children's Services and in accordance with the grant criteria set out in paragraph 12 of the director of Children Services' report, that £1,500 be made available to Beaulieu House to deliver targeted support to the families it works with, such that vouchers and/or gifts and/or food can be provided to families in need and not in receipt of vouchers through the free school meal voucher offer, and that the director of Children's Services be delegated authority to approve the reallocation of any COVID Local Support Grants remaining or underspent funds to organisations delivering services that meet the criteria of the grant set out in paragraph 12 of the director of Children Service's report in consultation with the Cabinet member.

STRATEGIC CONTEXT

14. Good governance arrangements are essential to the delivery of the council's services and the decision-making process that support this.

CONSULTATION

15. Councillor Hastings, Chairman of the Corporate Scrutiny Committee.

FINANCIAL / BUDGET IMPLICATIONS

16. There are no additional costs associated with the proposals contained in this report. The recommendations accord with the resources available within the overall budget agreed by Full Council in February 2021.

LEGAL IMPLICATIONS

17. Under regulation 19 (1) of the Local Authorities ((Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 an executive leader (ie the leader of the council) must submit a "regulation 19(1) report" containing details of each executive decision made when the making of the decision was agreed as urgent in accordance with regulation 11.
18. Such report must include particulars of each decision made, and a summary of the matters in respect of which each decision was made (see regulation 19 (2) of those regulations).

EQUALITY AND DIVERSITY

19. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It is not considered that the content of this report has any negative impact

on any of the protected characteristics.

RISK MANAGEMENT

20. The discharge of this duty eliminates any risk of challenge for not reporting.

EVALUATION

21. This report informs the council of the two cases of “special urgency” since the leader of the council was elected on 26 May 2021.

RECOMMENDATION

22. To receive and note this statutory report.

BACKGROUND PAPERS

23. Regulation 11 notices dated 14 June 2021 and 7 July 2021 respectively and written record of decisions dated 17 June 2021 and 8 July 2021.

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