



Purpose: To Note

Committee	FULL COUNCIL
Date	17 NOVEMBER 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 last meeting of full council, there has been one case of special urgency made under that regulation 11 (as at the date of writing this report – 9 November 2021).
8. The instance related to Covid Household Support Fund.
9. Councillor Steve Hastings, chairman of the Corporate Scrutiny Committee, agreed 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 Lifelong Skills. It was decided that the award of grant of £157,470 funding to schools, colleges and early years settings for them to purchase and provide one £15 voucher per child per week for the two-week October half term holiday for all children eligible for free school meals plus all children with a social worker, all children open to early help, all 2-4 year olds accessing Early Years Pupil Premium, be approved.

STRATEGIC CONTEXT

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

CONSULTATION

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

FINANCIAL / BUDGET IMPLICATIONS

13. 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

14. 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.
15. 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

16. 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

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

EVALUATION

18. This report informs the council of the case of “special urgency” since the last meeting of Full Council.

RECOMMENDATION

19. To receive and note this statutory report.

BACKGROUND PAPERS

20. [Regulation 11 notice dated 11 October 2021 and the written record of decision dated 15 October 2021.](#)

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