

TCOUNTY COUNCIL

Meeting date: 13 February 2020

From: The Leader of the Council

URGENCY PROVISIONS

1.0 EXECUTIVE SUMMARY

1.1 *This report notifies members of the circumstances in which an urgent decision has been taken in line with the Council's Constitution since the last meeting of the Council.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

2.1 *The report contributes to the vision in the Council Plan that the Council works with residents, businesses, communities and other organisations to deliver the best services possible within the available resources and contributes to the Council Plan outcome, that people in Cumbria are healthy and safe.*

3.0 RECOMMENDATION

3.1 *That members note the report.*

4.0 BACKGROUND

4.1 Key Decisions to be taken by Cabinet or an Executive Director must be advertised for at least 28 working days prior to the decision being taken. When this rule cannot be complied with, owing to the urgency of the decision, The County Council's Constitution permits Key Decisions to be taken in the following circumstances:

- Access to Information Procedure Rule 15 – Notice is sent to the Chair of the relevant Scrutiny Advisory Board and is published on the Council's website and at the Council's offices and five working days elapse before the decision is taken and
- Access to Information Procedure Rule 16 – when it is not possible to give five working days' notice the approval of the Chair of the relevant Scrutiny Advisory Board is sought and the Notice is published on the website and at the Council offices.

- 4.2 The Chief Executive is empowered under the Scheme of Delegation to Officers (Part 3 – Delegation to Officers, Chief Executive, 6.1 (h)) to take Urgent decisions where delay would seriously prejudice the Council's or the public interest to the extent that it is appropriate to use emergency powers.
- 4.3 Decisions of the Cabinet, Officer Key Decisions and certain decisions of Local Committees are subject to the rules of Call In. The Call In procedure does not apply where the decision being taken is urgent. There is a process in the Overview and Scrutiny Procedure Rules for exempting decisions from Call In.
- 4.4 Urgent decisions must be reported to the next available meeting of the Council, with the reasons for urgency identified.
- 4.5 Since the meeting of Council held on 9 January 2020, one decision has been made using the Council's Urgency procedure which is set out in Appendix 1 of this report.

5.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

- 5.1 The decision set out in Appendix 1 relates to the award of grants for 2020-21 to Mencap. In 2016, the grants were awarded as a key decision by the Corporate Director – Children's Services. The grants were awarded as a 4 year project, beginning February 2017, and are due to end 31 January 2021. The 2019-20 grant ended on the 31st January 2020.
- 5.2 The total annual value of the Grant for the 3 areas is £1.794m and is funded from the Carers and Short Breaks budget. Grant recipients provide in year financial monitoring and activity data to assist the Council to assess both value for money and outcomes for children and young people.

6.0 LEGAL IMPLICATIONS

- 6.1 There are no legal implications arising from this report.

7.0 CONCLUSION

- 7.1 Members are asked to note the report

Dawn Roberts
Executive Director –Corporate, Customer and Community Services

3 February 2020

APPENDICES

Appendix 1 – Schedule of decisions

Electoral Division(s): All

Executive Decision	<input type="checkbox"/>	<input type="checkbox"/>	No
Key Decision	<input type="checkbox"/>	<input type="checkbox"/>	No
If a Key Decision, is the proposal published in the current Forward Plan?	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Is the decision exempt from call-in on grounds of urgency?	<input type="checkbox"/>	<input type="checkbox"/>	No
If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Has this matter been considered by Overview and Scrutiny? If so, give details below.	<input type="checkbox"/>	<input type="checkbox"/>	
Has an environmental or sustainability impact assessment been undertaken?	<input type="checkbox"/>	<input type="checkbox"/>	N/A
Has an equality impact assessment been undertaken?	<input type="checkbox"/>	<input type="checkbox"/>	N/A

PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS

No previous relevant decisions.

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny.

BACKGROUND PAPERS

No background papers.

RESPONSIBLE CABINET MEMBER

The Leader of the Council.

REPORT AUTHOR

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