URGENT DECISIONS

ADVICE OF CORPORATE DIRECTOR

1.0 EXECUTIVE SUMMARY
1.1 This report notifies members of circumstances in which urgent decisions have 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 delivery of the Council Plan objective of being a modern and efficient Council by ensuring compliance with the requirements in the Constitution in respect of decisions that are taken in circumstances of urgency.

3.0 RECOMMENDATION
3.1 That members note the report.

4.0 BACKGROUND
4.1 Key Decisions to be taken by Cabinet or a Corporate Director must be advertised for at least 28 clear days (i.e. working days) prior to the decision being taken. Where this rule cannot be complied with owing to the urgency of the decision, the Council’s Constitution permits Key Decisions to be taken in the following circumstances:

4.2 Access to Information Procedure Rule 15 - notice is sent to the Chair of the relevant Scrutiny Advisory Board and is published on the website and at the Council Offices, and five clear days elapse before the decision is taken; and

4.3 Access to Information Procedure Rule 16 - if it is not possible to give five clear days’ notice, the approval of the Chair of the relevant Scrutiny Advisory Board is sought and notice is published on the website and at the Council Offices.
4.4 The Chief Executive is empowered under the Scheme of Delegation to Officers 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.

4.5 Decisions of the Cabinet, Officer Key Decisions and certain decisions of local committees are subject to the rules about call in. The call in procedure does not apply where the decision being taken in urgent and there is a process in the Overview and Scrutiny Procedure Rules for exempting decisions from call in.

4.6 Decisions taken as a matter of urgency must be reported to the next available meeting of Council, with the reasons for urgency.

4.7 Since the last meeting of Council, three decisions have been taken using the Council’s urgency procedures. The decisions and the reasons for urgency are set out in the Appendix to this report.

5.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

5.1 Decisions 1 and 2 set out in Appendix 1 related to securing agreement with the NHS for Better Care Fund expenditure of £12.112mm in 2017-18 and £16.630m in 2018-19, across a number of organisations including the Council to meet social care needs, reduce NHS pressures and support the social care market, Failure to reach and make the decision may have put the funding at risk of clawback by the Department of Health.

5.2 There are no resource of value for money implications of Decision 3, the decision enabled the award of contract for Night Services which is funded through the Better Care Fund.

6.0 LEGAL IMPLICATIONS

6.1 The legal considerations are set out in the body of the report.

7.0 CONCLUSION

7.1 Members are asked to note this report.

Dawn Roberts  
Corporate Director – Resources and Transformation  
7 November 2017

APPENDICES

Appendix 1 – Schedule of Decisions
Electoral Division(s): All
Executive Decision No

Key Decision No

If a Key Decision, is the proposal published in the current Forward Plan? N/A

Is the decision exempt from call-in on grounds of urgency? N/A

If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained? N/A

Has this matter been considered by Overview and Scrutiny? No

If so, give details below.

Has an environmental or sustainability impact assessment been undertaken? N/A

Has an equality impact assessment been undertaken? 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

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