

<b>Report to</b>	<b>On</b>
<b>Council</b>	<b>Wednesday, 19 May 2021</b>



<b>Title</b>	<b>Portfolio Holder</b>	<b>Report of</b>
<b>Urgent Executive Decisions</b>	<b>Leader of the Council and Cabinet Member (Strategy and Reform)</b>	<b>Director of Governance and Monitoring Officer</b>

Is this report confidential?	No
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### **Purpose of the Report**

1. This report informs Council of a number of urgent decisions taken by the Executive (i.e. Cabinet or Individual Executive Members) in accordance with urgency procedures outlined in the Council's Constitution since the last meeting of Council held on 28 April 2021.
2. These include 'key' decisions (as defined in the Cabinet Forward Plan), decisions which include confidential or exempt information, and urgent decisions for which the Mayor agreed to waive scrutiny call-in.

### **Recommendations**

3. That the report be noted.

### **Reasons for recommendations**

4. The Council's Constitution states that the following decisions taken under urgency procedures must be reported to Council:

#### **Part 4C - Reports on Special Urgency Decisions to Council & General Exceptions**

**19.2** The Cabinet must prepare a report to the next available Council meeting setting out the details of any executive decision taken without giving 28 days' notice under the procedure set out in Rule 17 (Key Decision – General Exception).

#### **Part 4F - Call In and Urgency**

**11.14.** All decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

### **Other options considered and rejected**

5. None, for the reasons given above.

## Corporate outcomes

6. The report relates to the following corporate priorities: (tick all those applicable):

An exemplary council	X	Thriving communities	
A fair local economy that works for everyone		Good homes, green spaces, healthy places	

## Background to the report

7. Since Council on 28 April 2021 two decisions were taken under the Council's urgency procedures, as detailed below.

## Details of Urgent Executive Decisions taken

8. Key decisions *for which it was not possible to give 28 days' notice on the Cabinet Forward Plan but published at least 5 workings days before the decision is taken* fall under Council Procedure Rule 17 – Key Decision – General Exception in Part 4C of the Council's Constitution, which requires the Chair of the Scrutiny Committee to be informed of the reasons for the urgency.

9. Any urgent decision to waive scrutiny call-in must be agreed by the Mayor in accordance with paragraph 11.14 of Part 4F of the Constitution. A decision will be considered urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

Decision	Date and Decision Maker	Reasons for urgency
<p>Holiday Hunger Contract Award - May to October 2021:</p> <p>Approval to award the contract for delivery of the Council's Holiday Hunger Scheme in May, July / August and October 2021 to Oncore Foodservice Solutions, at a cost of £88,800.</p> <p><b>Scrutiny Call-In period waived</b></p>	<p>30 April 2021</p> <p>Deputy Leader and Cabinet Member (Health and Wellbeing)</p>	<p>In accordance with paragraph 11.14 of Part 4F of the Council's Constitution, the Mayor agreed to waive the Scrutiny call-in procedure in respect of this decision for the reasons given below:</p> <ul style="list-style-type: none"> <li>• 1) Some schools had delayed in providing information to inform the contract and procurement exercise.</li> <li>• 2) Guidance to ensure COVID-19 compliance had only recently been provided by the County Council, which</li> </ul>

		<p>was required for the exercise.</p> <ul style="list-style-type: none"> <li>· 3) Due to the timing of the contract implementation coinciding with the re-opening of hospitality venues this had impacted on potential availability for the delivery of the contract.</li> <li>· 4) If the contract was not agreed there would be a risk that our commitment in providing food as part of the scheme would not be achieved and would adversely impact children and families.</li> </ul>
<p>To approve spending of £145,004 grant money on energy efficiency improvements to the Civic Centre</p> <p><b>Key decision – less than 28 days’ notice given on the Cabinet Forward Plan – General Exception</b></p>	<p>11 May 2021</p> <p>Deputy Leader and Cabinet Member (Health and Wellbeing)</p>	<p>This decision is to be taken under the General Exception procedure. The reason it was not possible to give notice on the Forward Plan for 28 days is that there was a delay in confirming receipt of the money following approval of the grant award. The contract award now needs to be made this month for work to start and be completed by the beginning of September 2021. The Council needs to go out to tender, review the tenders, award the contract and get the work completed and commissioned by this time. The timescale for the tenders is around 5 weeks and the works around 8 weeks. Failure to meet the deadline might result in the Council having to repay the full grant and would go against us for bidding for additional funding in the future.</p>

## Risk

10. There are no risk implications arising from this report.

## Equality and diversity

11. There are no Equality Impact Assessment (EIA) and Equality Act implications arising from this report.

## Air quality implications

12. There are no Air Quality implications arising from this report.

## Comments of the Statutory Finance Officer

13. The financial implications of these decisions were included in the individual reports. When new grants are approved that are more than £100k the decision must either be made by Full Council or through urgent Executive decision. The urgency to spend the new grant funding justifies in this case approving the budget through an urgent Executive decision.

## Comments of the Monitoring Officer

14. There are no issues to raise from a Monitoring Officer point of view. The report is designed to comply with the requirements in the Constitution about keeping members informed of any urgent decisions that have been made.

## Background documents

### Council Constitution

[Modern.gov link to decisions page](#)

## Appendices

None

Darren Cranshaw – Shared Services Lead - Democratic, Scrutiny & Electoral Services

Chris Moister – Director of Governance and Monitoring Officer

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