

Report of	Meeting	Date
Director of Governance and Monitoring Officer (Introduced by Leader of the Council and Cabinet Member (Strategy and Reform))	Scrutiny Committee Council	Tuesday, 11 January 2022 Wednesday, 26 January 2022

Is this report confidential?	No
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Is this decision key?	No
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Urgent Decisions

Purpose of the Report

1. This report informs Council of a number of urgent decisions taken in accordance with urgency procedures outlined in the Council's Constitution since they were last reported to the relevant meetings of Scrutiny Committee on 12 October 2021 and Council 24 November 2021.
2. These urgent decisions include:-
'key' decisions taken by the Executive (i.e. Cabinet or Individual Executive Members) as defined in the Cabinet Forward Plan / Notice of Executive Decisions, including decisions which contain confidential or exempt information; urgent reports taken to Cabinet;
urgent decisions taken outside the budget and policy framework;
and urgent decisions for which the Mayor agreed to waive scrutiny call-in.
For clarification, **these do not relate to urgent decisions arising from the COVID pandemic.**

Recommendations to Scrutiny Committee

3. Scrutiny Committee is asked to note the report;
4. To review the process to agree the urgent decision and to waive the scrutiny call-in on 29 October 2021 (which was already reported to Council on 24 November 2021).

Recommendations to Council

5. Council is asked to note the report.

Reasons for recommendations

7. This report informs Council and the Scrutiny Committee of the following decisions which have been taken under urgency procedures:-

Part 4C – Access to Agenda and Report Before a Meeting

- **5.5** The Council will always endeavour to publish reports at least three working days before the meeting. Lesser notice than this may only be given if the Mayor decides that there are highly exceptional circumstances.

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

- **19.1** The Leader must submit a report to the next available Council meeting setting out the details of any executive decision taken as a matter of special urgency under the procedure set out in Rule 18 (Key Decision - Special Urgency).
- **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 4D – Urgent Decisions outside the Budget or Policy Framework

- **4 (a)** The Cabinet, a committee of the Cabinet, an individual member of the Cabinet or officers, a Community Hubs chairman or joint arrangements discharging executive functions may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken: i) if it is not practical to convene a quorate meeting of the full Council; and ii) if the chairman of the Scrutiny Committee agrees that the decision is a matter of urgency.

Part 4F – Scrutiny Procedure Rules - 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. The next available meeting of the Scrutiny Committee will review the process for agreeing the urgent decision and make appropriate recommendations.

Other options considered and rejected

8. None, for the reasons given above.

Corporate priorities

9. The report relates to the following corporate priorities: (please bold all those applicable):

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

Background to the report

10. Following the meetings of Scrutiny Committee 12 October 2021 and Council 24 November 2021, the following decisions were taken under the Council's urgency procedures, as detailed below.

Details of urgent decisions taken in accordance with the Constitution

11. The Council will always endeavour to publish reports at least three working days before a meeting. Lesser notice than this may only be given if the Mayor decides that there are highly exceptional circumstances under paragraph 5.5. of Part C of the Council Constitution.
12. Key decisions *for which it was not possible to give 28 days' notice on the Cabinet Forward Plan but published at least 5 working 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.
13. Key decisions *published less than 5 working days before the decision was taken* fall under Council Procedure Rule 18 - Key Decision – Special Urgency in Part 4C of the Council's Constitution, where the decision may only be made where agreement has been obtained from the Chair of the Scrutiny Committee.
14. 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.
15. An individual member of the Cabinet may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency and agreed by the Chair of the Scrutiny Committee in accordance with paragraph 4a) of Part 4D the Budget and Policy Framework Procedure Rules.

Decision	Date and Decision Maker	Reasons for urgency
Approval for the contract Procedure and Award for the Procurement of Network Firewalls PLEASE NOTE this decision was already reported to Council on 24 November 2021. It appears in this report for consideration at Scrutiny Committee on 11 January 2022.	29 October 2021 Cabinet Member (Social Justice, Communities and Wealth Building)	The Chair of Scrutiny Committee agreed that this decision be taken under the Special Urgency procedure; and the Mayor agreed to waive the Scrutiny call-in procedure in accordance with paragraph 11.14 of Part 4F of the Council's Constitution for the following reasons: The reasons for the urgency were to address the urgent security concerns following the PEN test for South Ribble

		and due to the global shortage in hardware which is leading to significant delays in delivery and price increases. The 29th October represents the proposed contractor's year end, and as such the level of discount the Council has managed to secure was only valid if an order is placed before the close of play 29/10.
Approval for ICT Procurement and Award of Contracts	Cabinet 15 December 2021	This report was taken under the General Exception Procedure. It was not possible to give 28 days on the Cabinet Forward Plan as the decision was necessary to enable a number of further ICT contracts to be awarded in the New Year.
Award of Contract for Vernon Carus Sports Club	Cabinet 15 December 2021 Cabinet Member (Finance, Property and Assets) 22 December 2021	The Mayor agreed that the report be considered as a matter of urgency for the reasons that the Council had only just received the cost information to allow the contract to be awarded and contract procedure rules needed to be waived for the project to deliver to the set timescales. The Chair of Scrutiny Committee agreed that this be taken under the special urgency procedure in order the decision could be taken before the Christmas break and the contract awarded to meet the timetable for project to be delivered.
Climate Emergency Grant Funding	21 December 2021 Cabinet Member (Health and Wellbeing)	The Chair of Scrutiny Committee agreed that this be taken under the Council's urgency procedures (Part 4D - Urgent decisions outside the budget and policy framework). It was not possible for the matter to be submitted to Council on 26 January 2022

		as the decision was required before Christmas to meet the timescales for the project.
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Climate change and air quality

16. The work noted in this report does not impact the climate change and sustainability targets of the Councils Green Agenda and all environmental considerations are in place.

Equality and diversity

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

Risk

18. None.

Comments of the Statutory Finance Officer

19. The Chief Finance Officer (s151) comments have been included on all the urgent decisions referenced in this report.

Comments of the Monitoring Officer

20. It is considered that the Council's Constitution has been followed in this regard. Monitoring Officer comments were included on all of the decisions. This report is just for information.

Background documents

Council Constitution

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

Appendices

None.

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