

Report on Special Urgency Decisions

1. Purpose of Report

- 1.1 To inform the Council of Key Decisions taken by the Executive in circumstances of special urgency since 22nd November 2005.

2. Recommendation

- 2.1 **That the report be noted.**

3. Background

- 3.1 Regulation 20 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 requires the Leader of the Council to submit a quarterly report to Council on how often the special urgency procedure in respect of Key Decisions has been used.

4. Procedure for Key Decisions

- 4.1 The general procedure for taking Key Decisions requires that:

- (a) an Executive Workplan containing reference to the decision has been published;
- (b) at least 5 clear days have elapsed since the publication of the said Executive Workplan;
- (c) where the decision is taken at a meeting of the Executive, notice of the meeting has been given in accordance with Rule 4.4 of the Council's Constitution.

- 4.3 Should it not be possible to comply with this procedure, a Key Decision can be taken in the following circumstances:

General Exception

- 4.4 Regulation 15 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 allows for a Key Decision to be taken if it has not been included in the Executive Workplan and cannot be deferred until the publication of the next Executive Workplan. The decision can be taken provided that at least five clear days notice has been given to the Chairman of the Overview & Scrutiny Committee and the public before the decision is taken.

Special Urgency

- 4.5 In certain circumstances it may not be possible to comply with the General Exception requirements. In these circumstances Regulation 16 of Regulations can be applied. Regulation 16 allows for a Key Decision to be taken without the five clear days' notice, provided that agreement has been obtained from the Chairman of the Overview & Scrutiny Committee (or in his absence the Chairman of the Council) that the decision could reasonably be regarded as urgent in the circumstances.

5. Quarterly Report

- 5.1 As at the date of this report, one Key Decision has been taken by the Executive in circumstances of special urgency since 22nd November 2005. This decision was in respect of North Wiltshire Leisure Limited. Details of the decision are attached at Appendix 1 to this report.
- 5.2 A decision in respect of the Greater Western Franchise Timetable was considered as an urgent item on 9th March 2006, but this decision was not classified as “key”.

6. Financial Implications

- 6.1 None within the context of this report.

7. Environment and Community Implications

- 7.1 None.

8. Human Resource Implications

- 8.1 None.

9. Equality & Diversity Implications

- 9.1 None.

10. Legal Implications

- 10.1 None.

**REPORT OF THE CORPORATE SERVICES STRATEGIC MANAGER TO COUNCIL
– 25th APRIL 2006**

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10th April 2006

APPENDIX 1**KEY DECISIONS – USE OF THE SPECIAL URGENCY PROCEDURE**

Date of Decision	Issue	Decision Taken	Reason for Special Urgency	Agreement of Chairman of Overview & Scrutiny
16.02.06	North Wiltshire Leisure Limited	<p>Resolved that</p> <p>(1) An advance not exceeding £250,000, as requested by the North Wiltshire Leisure Limited Board, be approved.</p> <p>(2) Approval of this amount as an exceptional payment be deferred pending the receipt of further information.</p>	To enable the Council to assist NWLL respond to an urgent issue that had arisen which required resolving prior to the next scheduled meeting of the Executive.	Agreement provided by way of e-mail to the Policy & Democratic Services Team on 13 th February 2006.