

Council

23 June 2015

Name of Cabinet Member:

Leader of the City Council – Councillor Ann Lucas

Director Approving Submission of the report:

Executive Director of Resources

Ward(s) affected:

None

Title:

Annual Report from the Leader to the Council on Key Decisions made under Special Urgency Provisions

Is this a key decision?

No

Executive Summary:

The Leader must submit to the Council at the first ordinary meeting after the Annual Meeting a report of Key Decisions made in the previous year where the Special Urgency provisions were used. This applies where it is not practicable to give notice at least 5 clear days in advance before a Key Decision is made.

The Leader is reporting that there were three such cases during the 2014/15 municipal year.

Recommendations:

That the City Council notes the Annual Report from the Leader on the use of Special Urgency provisions in the past year.

List of Appendices included:

Appendix 1 - Matters Considered Under the Special Urgency Provisions of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Other useful background papers:

- The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012
- The City Council's Constitution

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

Yes – 23 June 2015

Report title:

The Annual Report from the Leader to the Council on Key Decisions made under Special Urgency Provisions

1. Context (or background)

- 1.1 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 set out Special Urgency provisions to be used where it is impracticable to give at least 5 clear days' notice of the intention to make a Key Decision. The provisions detail a specific process to be followed, which includes seeking the agreement of the appropriate Scrutiny Chair or, if that person is unavailable, the Chair of the Council, that the matter to be considered is urgent and could not be reasonably deferred.
- 1.2 The Leader of the Council must submit an Annual Report to the Council containing details of each Key Decision taken during the period since the last report was submitted where the making of the key decision was agreed as urgent. The Council's Constitution requires that this report be presented at the first ordinary meeting of the Council after the Annual Meeting.
- 1.3 During the 2014/15 municipal year, there were three such cases where the Council did not give at least 5 clear days' notice before making a Key decision. In each instance, the relevant Scrutiny Board Chair was briefed on the proposals and confirmed the reasons for using the Special Urgency Provisions. Details of these matters are provided in Appendix 1.

2. Comments from Executive Director of Resources**2.1 Financial implications**

None

2.2 Legal implications

The Leader must make this report to Council in order to meet statutory requirements and comply with the Council's Constitution.

3. Other implications

None

4.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)

This report is evidence that the Council has met its statutory requirements and given at least 5 clear days' notice of Key decisions made in the past year and, where this has not been possible, that the statutory requirements for the use of the Special Urgency provisions has been followed.

4.2 How is risk being managed?

By presenting this Report to Council the Leader avoids any reputational risk that could arise from failure to meet the Council's statutory and constitutional requirements

4.3 What is the impact on the organisation?

None

4.4 Equalities / EIA

None

4.5 Implications for (or impact on) the environment

None

4.6 Implications for partner organisations?

None

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Directorate or organisation	Date doc sent out	Date response received or approved
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Finance: Carolyn Prince	Finance Manager	Resources	08/06/15	08/06/15
Legal: Carol Bradford	Solicitor, Place and Regulatory Team	Legal & Democratic Services	08/06/15	08/06/15
Director: Chris West	Executive Director	Resources	08/06/15	09/06/15
Members: Councillor Ann Lucas	Leader		08/06/15	10/06/15

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www.coventry.gov.uk/councilmeetings

Matters Considered Under the Special Urgency Provisions of
The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date Key Decision was Taken	Council Body Considering Key Decision	Issue Considered and Reason for Urgency	Relevant Scrutiny Board Chair	Date of 5 Clear Day Deadline	Date Special Urgency Notice Published
4 th November 2014	Cabinet	<p>Coventry and Warwickshire Gateway – Section 106 Planning Agreement</p> <p>To delay the consideration would have put the proposed development at risk of collapse.</p>	Councillor Skipper Scrutiny Co-ordination Committee	27 th October 2015	28 th October 2015
17 th March 2015	Cabinet	<p>Coventry Investment Fund</p> <p>An urgent decision was required in order to facilitate proposals and negotiations that take place at short notice due to market requirements that could have a significant impact on the City and thereby protecting the Council's and City's interests. To delay consideration of this matter would leave those interests unprotected</p>	Councillor Duggins Business, Economy and Enterprise Scrutiny Board (3)	9 th March 2015	16 th March 2015
31 st March 2015	Coventry Investment Fund Cabinet Committee	<p>Lythalls Lane Small Unit Development</p> <p>To delay consideration of the proposals would have incurred significant additional financial costs to the Council with the potential of putting the proposed development at risk.</p>	Councillor Skipper Scrutiny Co-ordination Committee	23 rd March 2015	25 th March 2015