

Subject: Urgent Key Decisions taken during Quarter 2 - July to September 2007
Status: For Publication

Report to: Council
Date: 19th December 2007

Report of: Chief Executive

Portfolio Holder: Leader of the Council

Key Decision: No

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

1.1 This report fulfils the requirement under Paragraph 17.3 of the Access to Information Procedure Rules.

2. CORPORATE PRIORITIES

2.1 The matters discussed in this report impact on the following corporate priorities.

A Well Managed Council through ensuring decisions are made in accordance with the Council's Constitution.

3. RISK ASSESSMENT IMPLICATIONS

3.1 There are no specific risk issues for members to consider arising from this report.

4. BACKGROUND AND OPTIONS

4.1 The Council's Constitution specifies the process that must be followed when urgent key decisions are required to be taken. The urgency rules form part of the Access to Information Procedure Rules in the Constitution.

- 4.2 The Access to Information Procedure Rules requires that all key decisions are included in the Forward Plan for the month in which the decision is to be made. When a key decision is not included in the Forward Plan and cannot be deferred to the next month due to urgency, there are a number of options available to ensure that a decision may still be made in an open and transparent manner.

General Exception: Rule 15

Where a key decision is not included in the Forward Plan, it may still be made in accordance with Rule 15 of the access to information rules where:

- (a) The decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next Forward Plan and until the start of the first month to which the Forward Plan relates; and
- (b) The Chief Executive has informed the Chair of the Overview and Scrutiny Management Committee, or if there is no such person, each Member of that Committee in writing, by notice, of the matter to which the decision is to be made; and
- (c) The Chief Executive has made copies of that notice available to the public at the offices of the Council; and
- (d) At least 3 clear days have elapsed since the Chief Executive complied with (a) and (b).

One decision has been taken under Rule 15 since the last report to Council on 27th June 2007, details of which are attached at Appendix A.

Special Urgency: Rule 16

Special Urgency Rules can also apply in exceptional circumstances (Rule 16 of the Access to Information Procedure Rules). This Rule applies when the requirements of Rule 15 cannot be complied with. In particular, the urgency of the decision means that 3 clear days cannot be given.

Since the last report to Council no decisions have been made under Rule 16.

5. COMMENTS OF THE HEAD OF FINANCE

- 5.1 There are no immediate financial implications arising from the report.

6. COMMENTS OF THE EXECUTIVE DIRECTOR OF REGULATORY SERVICES

- 6.1 It is a requirement of the Council's Constitution (Rule 17.3 Access to Information Procedure Rules) that decisions taken under Rule 16 (special urgency) are submitted to Council.

7. COMMENTS OF THE HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT

7.1 There are no human resource matters relating to the report.

8. CONCLUSION

8.1 The Council has complied with the Access to Information Procedure Rules in all uses of the Urgency Rules.

9. RECOMMENDATIONS

9.1 That the report be noted.

10. CONSULTATION CARRIED OUT

10.1 Leader of the Council and the Portfolio Holder for a Well Managed Council

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Background Papers	
Document	Place of Inspection
Minutes of Cabinet Meetings	Website

Details and Date of Decision	Decision Making Body	Reason why decision could not be deferred to next meeting	Overview and Scrutiny Chair Notification	Public Notice	3 clear days lapsed	Date considered by Cabinet	Comment
To consider a confidential report on Job Evaluation	The Cabinet	It was important that the decision was taken as soon as possible to enable the Council to finalise its negotiating position to protect the interests of staff and the Council's reputation.	14/09/07	14/09/07	Yes	19/9/07	Rule 15 used