


Non-Executive Report of the: Council Wednesday, 19 May 2021	 TOWER HAMLETS
Report of: Janet Fasan, Director of Legal and Interim Monitoring Officer	Classification: Open (Unrestricted)
USE OF SPECIAL URGENCY PROCEDURES	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services
Wards affected	All Wards

Executive Summary

As set out in the constitution, a report must be presented to the Annual Meeting of Council setting out when Special Urgency provisions have been applied to Executive Key Decisions.

Council is asked to note the report.

Recommendations:

The Council is recommended to:

1. Note the report on the use of special urgency provisions in relation to Executive Key Decisions be noted.

1. REASONS FOR THE DECISIONS

- 1.1 The Constitution sets out that this report must be presented to the Annual Council meeting.

2. ALTERNATIVE OPTIONS

- 2.1 Not applicable to a noting report.

3. DETAILS OF THE REPORT

General and Special Urgency

- 3.1 In normal circumstances the Council is required to publish on its website a public notice at least 28 clear days before an Executive Key Decision is taken by the Mayor in Cabinet, at a Cabinet Sub-Committee or as an Individual Mayoral Decision.

- 3.2 On occasion, due to reasons of urgency, it is not possible to provide this level of notice and the constitution provides procedures which must be followed in those cases:
- 5.2.1 **General Urgency** – Between 5 and 28 days’ notice can be provided – the Chair of the Overview and Scrutiny Committee must be notified of the item and the reasons for urgency.
 - 5.2.2 **Special Urgency** – Less than 5 days’ notice – the Chair of the Overview and Scrutiny Committee must agree that the issue is so urgent that longer notice cannot be given.
- 3.3 In both of the above situations, the reasons for urgency are published on the website alongside the decision documentation.
- 3.4 This report informs Council of those occasions during the previous municipal year where the Special Urgency provisions had to be implemented and the Chair of the Overview and Scrutiny Committee was asked to agree to a decision being taken through that process.
- 3.5 The one occasion where the Special Urgency Provisions were applied is as follows:

Report Title	Date of Decision	Reasons for Urgency provided at time of decision
Christmas provision for free school meals eligible children	1 December 2020	<p>The project in question is to be funded from the covid winter grant which was not announced until last week. Following this, discussions were held with the Cabinet Members for the relevant portfolios to decide how the council should fulfil its desire for provision over the Christmas holidays.</p> <p>The entire project needs to be in place by 14 December and cannot start without approval. Therefore it is not possible to delay this report.</p>

Call in and Urgency

- 3.6 When an Executive Decision is taken by the Mayor in Cabinet, at a Cabinet Sub-Committee or as an Individual Mayoral Decision, it is eligible to be called in if so requested by Councillors in accordance with the relevant provisions of the Constitution. On occasion, due to reasons of urgency, decisions are published which cannot be called in. The reasons for urgency must be agreed by the Chair of Overview and Scrutiny Committee and the matter reported to Council, together with the reasons for urgency.

- 3.7 This report informs Council of those occasions during the previous municipal year where an executive decision was taken which, due to reasons of urgency, was exempt from call in.
- 3.8 The one occasion where the Call-In and Urgency Provisions were applied is as follows (this is the same item as set out under Special Urgency provisions above):

Report Title	Date of Decision	Reasons for Urgency provided at time of decision
Christmas provision for free school meals eligible children	1 December 2020	<p>The project in question is to be funded from the covid winter grant which was not announced until last week. Following this, discussions were held with the Cabinet Members for the relevant portfolios to decide how the council should fulfil its desire for provision over the Christmas holidays.</p> <p>The entire project needs to be in place by 14 December and cannot start without approval. Therefore it is not possible to delay this report.</p>

4. EQUALITIES IMPLICATIONS

- 4.1 This is a noting report, the intention of which is to ensure transparency of decision making. Equalities Implications in relation to each decision will have been set out in the reports concerned.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
- 5.2 None specific to this report. Implications in relation to each decision will have been set out in the reports concerned.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 None specific to this report. Financial Implications in relation to each decision will have been set out in the reports concerned.

7. COMMENTS OF LEGAL SERVICES

7.1 This report is a requirement of the Council Procedure Rules as set out in Part B, Section 27 of the Council's Constitution.

Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices

- None.

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- None.

Officer contact details for documents:

N/A