

Non-Executive Report of the: Council Wednesday, 25 May 2022	 TOWER HAMLETS
Report of: Janet Fasan, Director of Legal and Monitoring Officer	Classification: Open (Unrestricted)
Use of Special Urgency Procedures 2021/22	

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

Executive Summary

As set out in the Council Procedure Rules 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.

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 A Key Decision is an executive decision which is likely to incur significant expenditure or savings (revenue above £1million; capital above £5million) or be significant in terms of its effects on communities living or working in two or

more wards. More guidance on interpreting these provisions is included in Section 3 of the Constitution.

- 3.2 In normal circumstances the Council is required to publish on its website a public notice at least 28 clear days before a Key Decision is taken by the Mayor in Cabinet, at a Cabinet Sub-Committee or as an Individual Mayoral Decision.
- 3.3 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:
- 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.
- 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.
- 3.4 In both of the above situations, the reasons for urgency are published on the [website](#) alongside the decision documentation.
- 3.5 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.
- 3.6 There was no use of the Special Urgency provision in the 2021-22 Municipal Year.

Call in and Urgency

- 3.7 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. A decision that is called in may not be implemented before it is reviewed by the Overview and Scrutiny Committee (OSC) and (if the OSC requires it) re-consideration by the Mayor/Cabinet; a process that can take several weeks . 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.
- 3.8 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.
- 3.9 The one occasion where the Call-In and Urgency Provisions were applied is as follows:

Report Title	Date of Decision	Reasons for Urgency provided at time of decision
Correction to Private Rented Sector Housing Selective Licensing Designation	Cabinet 30 June 2021	The urgency of the report is to ensure that a three month statutory notification and commencement date of the new scheme is maintained for the 1st October 2021, as the current scheme ends on the 20th September 2021.

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.
- Data Protection / Privacy Impact Assessment.

- 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 There are no direct financial implications arising from this noting report.

7. COMMENTS OF LEGAL SERVICES

- 7.1 This report is requirement of the Council's 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