


Non-Executive Report of the:  <b>Council</b>  Wednesday, 15 May 2024	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Linda Walker, Interim Director of Legal and Monitoring Officer	<b>Classification:</b> Open (Unrestricted)
<b>Use of Special Urgency Procedures 2023-24</b>	

<b>Originating Officer(s)</b>	Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	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 and use of urgency with respect to call in

### 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, as set out in the table below.

<b>Report Title</b>	<b>Date of Decision</b>	<b>Reasons for Urgency provided at time of decision</b>
Delegation of authority to make the decision whether to grant a licence to occupy areas of Victoria Park in the Summer / Autumn of 2024 at times to be more specifically agreed.	16 June 2023, Mayors Individual Decision Making	The licence to occupy arrangements are time sensitive and if they are to go ahead require an urgent decision in order for the Council’s legal department, to be agreed with AEG Presents Limited, a licence to occupy Victoria Park in return for an occupancy fee and allow for: - Sufficient time for the licensee to apply for a Premises Licence and any other statutory requirements associated with the occupation of the park. - The licensee to make their arrangements to deliver the proposed events. Management of the licence to occupy the land is a function that sits within the Children and Culture

		Directorate and due to the need to determine agreement of the licence immediately the Mayor is asked to delegate authority to allow the Corporate Director, Children and Culture to consider and potentially approve AEG Presents Limited's proposal.
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### Call in and Urgency

- 3.5 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.
- 3.6 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, as set out in the table below.

Report Title	Date of Decision	Reasons for Urgency provided at time of decision
Delegation of authority to make the decision whether to grant a licence to occupy areas of Victoria Park in the Summer / Autumn of 2024 at times to be more specifically agreed.	16 June 2023, Mayors Individual Decision Making	The licence to occupy arrangements are time sensitive and if it they are to go ahead require an urgent decision in order for the Council's legal department, to be agreed with AEG Presents Limited, a licence to occupy Victoria Park in return for an occupancy fee and allow for: - Sufficient time for the licensee to apply for a Premises Licence and any other statutory requirements associated with the occupation of the park. -

		The licensee to make their arrangements to deliver the proposed events. Management of the licence to occupy the land is a function that sits within the Children and Culture Directorate and due to the need to determine agreement of the licence immediately the Mayor is asked to delegate authority to allow the Corporate Director, Children and Culture to consider and potentially approve AEG Presents Limited's proposal.
Renewal of Finance System contract with existing Supplier, Individual Mayor Decision,	19 December 2023, Mayors Individual Decision Making	Current support for the Agresso product which is a business critical piece of software runs out on 31st December. The IMD enables a new contract to be in place by 1st January
Consolidated Civica Applications Contract,	13 March 2024, Mayors Individual Decision Making	The contract must be signed by 24 March 2024 or the Council potentially could lose access to critical applications.

#### **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.

## **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.

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### **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