

Report of:	The Mayor and Director of Legal and Governance Services
Submitted to:	Council
Date:	6 July 2022
Title:	Update on Urgent Decisions
Report for:	Information
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary

The Constitution requires the Council to be provided with an update with regard to any urgent decisions that have been taken.

Purpose

1. The report provides details of decisions that have been taken under the urgency rules.

Background and relevant information**SPECIAL URGENT DECISIONS**

2. A special urgent decision is where the required statutory notice of the proposed decision cannot be given (i.e. it is not possible to give the five days public notice). A decision is defined as urgent where any delay likely to be caused by the call-in process would seriously prejudice the interests of the Council or the public. In terms of the Scrutiny call-in procedure, agreement that the decision cannot be reasonably deferred is always sought from the Chair of Overview and Scrutiny Board or the relevant Scrutiny Panel. Once this agreement is obtained, a copy of the notice is placed on the Council website.

The decision taker must sign a form recording the decision and a record of that decision is then published. The information is available on the Modern Gov system or via the Council website.

URGENT DECISIONS

3. An urgent decision is where the required statutory notice of the proposed decision can be given but due to urgent deadlines for implementing those decisions, the Scrutiny call-in procedure do not apply. Agreement is always sought from the Chair of Overview and Scrutiny Board or relevant Scrutiny Panel to exempt the proposed decision from the call-in process. The decision then becomes a public record. The information is also available on the Modern Gov system or via the Council website.

Date:	22/12/2021
Decision Maker	Director of Adult Social Care and Health Integration
Decision	Community Champions Fund – national funding investment in Middlesbrough
Reason for Urgency	New Memorandum of Understanding had to be signed and returned by 28 December 2021 to enable funding to be released.

Date:	13/01/2022
Decision Maker	Executive Member for Environment, Finance and Governance
Decision	COVID-19 Business Financial Support – Covid Additional Relief Fund (CARF) and Omicron Hospitality and Leisure Grant Scheme.
Reason for Urgency	The short interval between announcement of the two schemes by government and the passing of legislation means that administration-heavy options available to the Council are limited, because the COVID-19 Business Financial Support – Covid Additional Relief Fund needs to be applied against rates liabilities for the current billing year and the grants must be paid by 31 March 2022.

What decision(s) are being recommended?

4. That Council note the decisions that have been taken under the urgency rules.

Rationale for the recommended decision(s)

5. The Constitution requires the Council to be provided with an update with regard to any urgent decisions that have been taken.

Other potential decision(s) and why these have not been recommended

6. That an update on urgent decisions is not provided to full Council. This would not comply with the requirements for details of any urgent decisions that have been taken and the reasons for urgency, to be reported to full Council.

Impact(s) of the recommended decision(s)

Legal

7. The Constitution requires regular updates on urgent decisions that have been taken, to be submitted to full Council.

Strategic priorities and risks

8. The relevant risks this decision would influence are cited below, with an explanation as to why they are relevant and how it would affect each risk.

Risk No	Risk Description	Impact
O8-054	Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.	If updates on urgent decisions were not provided to Council, it would not be in accordance with the requirements of the Constitution.

Human Rights, Equality and Data Protection

9. The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required.

Financial

10. There are no financial implications arising from the recommendations within this report

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline

Appendices

1	
2	
3	

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin

Email: charlotte_benjamin@middlesbrough.gov.uk