

MIDDLESBROUGH COUNCIL	
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Report of:	Director of Legal and Governance Services
Submitted to:	Council
Date:	27 November 2024
Title:	Update on Urgent Decisions
Report for:	Information
Status:	Public
Council Plan priority:	Delivering Best Value

Proposed decision(s)
No decision is required. Council is asked to note the decisions that have been taken under urgency rules.

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

1. Purpose

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

2. Recommendations

2.1 That the Council
Notes the decisions that have been taken under the urgency rules.

3. Rationale for the recommended decision(s)

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

4. Background and relevant information

4.1 SPECIAL URGENT DECISIONS

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. There have been no special urgent decisions since the last report to Council on 11 September 2024.

4.2 URGENT DECISIONS

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. There has been one urgent decision taken since the last report to Council on 11 September 2024.

Date:	28 October 2024
Decision Maker	Executive
Decision	Household Support Fund 2024/2025
Reason for Urgency	<p>Under paragraph 7.25.2 of the constitution, provision is made, under exceptional circumstances, for an urgent decision to be implemented immediately upon a decision being taken and a call in is therefore not possible. As the Household Support Funding was not confirmed by the Department for Work and Pensions until 24 September 2024, with formally agreed plans needing to be returned to the Department for Work and Pensions by 1 November 2024, this did not allow sufficient time for a call in period following Executive Committee on the 28 October 2024 to apply given the strict deadlines set for return. It is also not possible to defer the report to the next Executive meeting for this reason. It is therefore requested that an urgent decision is made to implement the agreed actions once Executive approval is given.</p> <p>The report was unable to comply with the legal requirement to be published on the forward work plan for at least 28 days as set out in paragraph 6.32 of</p>

	<p>the constitution due to the funding allocations only being provided to the Council on 24 September 2024.</p> <p>As a result of not being able to meet the normal and legal requirements above, and having to be implemented by 1 November 2024, the report was considered under the General Exception rules as detailed under paragraph 6.35 of the constitution.</p>
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5. Other potential alternative(s) and why these have not been recommended

5.1 Do Nothing: 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)

5.2 *Financial (including procurement and Social Value)*

There are no financial implications arising from the content of this report.

5.3 *Legal*

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

5.4 *Risk*

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.

5.5 *Human Rights, Public Sector Equality Duty and Community Cohesion*

No protected groups are affected by the decision.

5.6 *Climate Change / Environmental*

Not applicable.

5.7 *Children and Young People Cared for by the Authority and Care Leavers*

Not applicable.

5.8 *Data Protection*

Not applicable.

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

Action	Responsible Officer	Deadline
Report is for noting only.		

Appendices

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3	

Background papers

Body	Report title	Date
Executive	Household Support Fund 2024/2025	28 October 2024

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