

Report of:	Director of Legal and Governance Services – Charlotte Benjamin The Mayor: Mr A Preston
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Submitted to:	Council: 24 November 2021
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Subject:	Update on Urgent Decisions
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Summary

Proposed decision(s)
To provide Council with an update with regard to any urgent decisions that have been taken.

Report for:	Key decision:	Confidential/Exempt:	Is the report urgent?
To be noted.	No	The report is not confidential/exempt.	Non-urgent report.

Contribution to delivery of the 2021-24 Strategic Plan		
People	Place	Business
		To ensure that the business of the Council is open and transparent.
Ward(s) affected		
No wards in Middlesbrough are directly affected.		

What is the purpose of this report?

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

Why does this report require a Member decision?

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

Report Background

SPECIAL URGENT DECISIONS

3. 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

4. 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.

SPECIAL URGENT DECISIONS IN THE PERIOD MARCH 2020 – SEPTEMBER 2021

5. The following special urgent decisions were taken during this period:

Date:	25/03/2020
Decision Maker	Executive Member for Regeneration
Decision	Stainton Way Toucan Crossing
Reason for Urgency	There is no safe crossing connection for children attending the Kings Academy, coupled with a road traffic accident towards the end of 2020 and any delay could result in another road traffic accident.

Date:	14/07/2020
Decision Maker	Executive
Decision	Tees Advanced Manufacturing Park - Relocation of Option Site
Reason for Urgency	The prospective inward investor was required to determine whether or not to give notice on current lease by 15th July 2020.

Date:	12/10/2020
Decision Maker	Executive Member for Finance and Governance
Decision	Test and Trace Support Discretionary Payment Scheme
Reason for Urgency	Response to Covid-19. Test and Trace Support Payment Scheme announced by Central Government end of September 2020. Scheme to be in place by 12 October 2020.

Date:	2/12/2020
Decision Maker	Executive Member Finance and Governance
Decision	Winter Grant Fund Payment & Financial Assistance Advice Payment.
Reason for Urgency	Response to Covid 19. Support provided by the DWP for financial assistance for vulnerable groups for such things like, food, energy, water etc. announced on 8 November 2020.

Date:	22/12/2020
Decision Maker	Executive
Decision	Residual Waste Collection.
Reason for Urgency	Decision to retain weekly bin collections would affect the Budget consultation process as if agreed it would need to be removed from the Budget consultation document.

Date:	19/01/2021
Decision Maker	Executive
Decision	CONFIDENTIAL: Project Funding
Reason for Urgency	The Government had allocated funding – a decision which was communicated to the council by email on 13 January 2021, the purpose of which had been embargoed by the Government for the time being. The Memorandum of Understanding (MOU) had to be returned to the Secretary of State for Housing, Communities and Local Government ('MHCLG') by 21 January 2021.

Date:	02/02/2021
Decision Maker	The Mayor
Decision	Middlesbrough Council Support for Tees Valley Bid for Freeport Status
Reason for Urgency	Urgent decision required as the bid needed to be submitted by 5 February 2021.

Date:	02/02/2021
Decision Maker	The Mayor
Decision	Extension of IT Provision in Schools for Virtual Learning
Reason for Urgency	Urgent decision required to support an initiative to ensure Middlesbrough's children and young people have access to IT hardware and internet connection to enable remote virtual learning during the Covid-19 lockdown.

URGENT DECISIONS TAKEN IN THE PERIOD MARCH 2020 – SEPTEMBER 2021

6. The following urgent decisions, with the agreement of the Chair of Overview and Scrutiny Board, were taken:

Date:	18/05/2020
Decision Maker	The Mayor
Decision	Amendment to Section 13a Discretionary Hardship Policy
Reason for Urgency	COVID-19 response – financial support to those customers of working age in receipt of council tax reduction. It is hardship funding to those considered financially vulnerable. The funding will mean, to many Middlesbrough residents, a significant reduction in the amount of Council Tax payable and in many instances the awarding of £155.00 will reduce council tax bills to zero.

Date:	03/06/2020
Decision Maker	The Mayor
Decision	Approval of the discretionary grant policy and report.
Reason for Urgency	In response to COVID-19, extension of the business grant to allow local authorities the discretion to provide financial support to businesses through Central Government Funding.

Date:	01/07/2020
Decision Maker	The Mayor
Decision	Approval of the Discretionary Grant Fund – Phase 2.
Reason for Urgency	Response to Covid 19. Extension of the business grant scheme. Announced on 1 May 2020 to include Phase 2.

Date:	14/10/2020
Decision Maker	Executive Member for Finance and Governance
Decision	Tees Advanced Manufacturing Park – Plot 9 Yard Extension
Reason for Urgency	Property decision required by 16 th October 2020 in order to be operational by mid-February 2021, creating 40 jobs.

Date:	24/11/2020
Decision Maker	Executive
Decision	Re-procurement of Tees Integrated Sexual Health Service

Reason for Urgency	Tender planned to go out on 1st December 2020 for a start date of new service 1st August 2021.
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Date:	10/12/2020
Decision Maker	Executive
Decision	Additional Restrictions Grant (ARG) Part of the Local Restrictions Support Grant Stream (LSRG)
Reason for Urgency	Delay will impact businesses who are already under pressure due to Covid restrictions

Date:	19/01/2021
Decision Maker	Executive
Decision	CONFIDENTIAL: Project Funding
Reason for Urgency	The Government had allocated funding – a decision which was Communicated to the council by email on 13 January 2021, the purpose of which had been embargoed by the Government for the time being. The Memorandum of Understanding (MOU) had to be returned to the Secretary of State for Housing, Communities and Local Government ('MHCLG') by 21 January 2021.

Date:	13/04/2021
Decision Maker	Executive
Decision	Changing Futures Funding Opportunity
Reason for Urgency	The submission deadline was 6th May 21 and there was a substantial amount of work to be done across the South Tees partnership (i.e. multiple organisations) in order to develop the costed delivery plan and final bid. If the decision was to be subject to call-in, any delay could result in missing the deadline for the submission of the bid.

Date:	27/05/2021
Decision Maker	Executive
Decision	Prevention and Promotion Fund for Better Mental Health and Wellbeing 2021-22
Reason for Urgency	The tight timescale between notification of allocated funding (10 May) and requirement for submission of expressions of interest to Public Health England.

Date:	7 September 2021
Decision Maker	Executive
Decision	Audit to Excellence

Reason for Urgency	Children's Services will receive its next monitoring visit from Ofsted within the next few months perhaps in the New Year. Preparation including providing Ofsted with a suite of casework audits must be started in as timely a way as possible. Ofsted will publish the results of this visit on its website and negative comments from Ofsted carry a reputational risk and a risk that outcomes for vulnerable children are not improved as expected.
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Other potential decisions and why these have not been recommended

7. No other options considered.

Impact(s) of recommended decision(s)

Legal

8. There are no legal implications.

Financial

9. There are no financial implications.

Policy Framework

10. The decision will not amend the Council's policy framework.

Equality and Diversity

11. Report is for information only.

Risk

12. The report is for information only. The Mayor is required to report to Council, details of any urgent decisions.

Actions to be taken to implement the decision(s)

13. No actions are necessary, as the report is for information only.

Background papers

14. There were no background papers used in the preparation of this report: