

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 22nd September 2011
Report of: Democratic and Registration Services Manager
Subject/Title: Urgent Decision-Making

1.0 Report Summary

- 1.1 This report examines the Council's current arrangements for decision-making in urgent circumstances and makes recommendations for alternative arrangements to be introduced.

2.0 Recommendation

- 2.1 That the Committee recommend to Council
- (1) the adoption of the provisions set out in Appendix B to this report; and
 - (2) that the Borough Solicitor and Monitoring Officer be authorised to make such additions and amendments to the Constitution as she considers are necessary to give effect to the wishes of Council.

3.0 Reasons for Recommendations

- 3.1 In order for Members and Officers to understand clearly the Council's arrangements for determining urgent items of business.

4.0 Wards Affected

- 4.1 All Wards are affected.

5.0 Local Ward Members

- 5.1 All local ward Members are affected.

6.0 Policy Implications

- 6.1 The Council's agreed arrangements should be reflected in the Constitution.

7.0 Financial Implications

- 7.1 There are no direct implications, although it is of critical importance for the Council to have arrangements in place for urgent decisions to be made. The

responsiveness of local authorities to circumstances of urgency can often have financial implications.

8.0 Legal Implications

- 8.1 Once agreed, any changes to existing Constitutional provisions will need to be agreed by Council, following a recommendation from the Committee.

9.0 Risk Management

- 9.1 No risks would appear to arise from the proposals contained in this report.

10.0 Background

- 10.1 The Council's existing arrangements empower the Chief Executive or her nominee to make urgent executive and non-executive decisions in circumstances where such decisions are required before the next meeting of the relevant decision-making body. Appendix A to this report contains the existing constitutional provisions.
- 10.2 The Committee may wish to review the existing arrangements to establish whether they are in need of revision. Consideration should be given to securing Member involvement in making urgent decisions, with appropriate Officer advice and involvement.
- 10.3 Appendix B contains proposed urgency provisions which are recommended to the Committee for recommendation to Council. If agreed, these would need to form new provisions in the Constitution, and there would be the need for some consequential amendments.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Brian Reed

Designation: Democratic and Registration Service Manager

Tel No: 01270 686670

Email: brian.reed@cheshireeast.gov.uk