

## **PROPOSED URGENCY PROVISIONS**

*When a decision cannot await the next ordinary decision-making meeting, the following procedures apply:*

### **Chairman's power to add an item to the agenda**

The Chairman of the Council, the Cabinet, a Portfolio Holder, a committee, or sub-committee have the power to agree to take urgent items of business, at the meeting in question, which have not been included on the agenda of that meeting.

The discretion to do so rests entirely with the Chairman of the body in question or, where appropriate, the portfolio Holder, who alone needs to be satisfied as to the reasons for urgency. These reasons will be minuted.

In the case of executive decisions the following provisions shall also apply:-

- Rule 15 of the Access to Information Rules (Forward Plan and special urgency)
- Rule 44 of the Executive Procedure Rules (Forward Plan and key decisions)
- Rule 13 of the Scrutiny Procedure rules (Call-In and Urgency)

### **A special meeting may be called**

Council Procedure Rules provide for special meetings of the relevant decision-making body to be called.

**When the urgency of the decision dictates that a special meeting of the decision-making body is impracticable, the urgency provisions set out below shall apply, subject to the following requirements being met:**

### **Urgent Decisions: Regulatory / Non-Executive matters**

The Chairman and Vice Chairman (or, in their absence, their nominees) of the relevant committee or sub-committee, in consultation with the appropriate Director or Head of Service, have delegated authority to take any non- executive decision subject to the following requirements being met:-

- The decision-makers are satisfied that the matter is urgent and cannot await the next meeting of the decision-making body, or urgently convened meeting;
- The decision is reported for information to the next available meeting of the decision-making body;
- The provisions of legislation are complied with;
- Advice has been taken from the Council's Borough Solicitor and Monitoring Officer and Section 151 Officer;
- All Members of the Council are notified of the decision taken by electronic means.

**Urgent Decisions: Council**

If a decision would normally be required to be made by full Council the decision may be made by an Urgency sub-committee which shall comprise 5 Members of the Council (ratio 3:1:1) and the Mayor (or in his absence the Deputy Mayor) subject to the following requirements being met:-

- The decision-makers are satisfied that the matter is urgent and cannot await the next meeting of the Council, or an urgently convened Council meeting ;
- The decision is reported for information to the next available meeting of the Council;
- The provisions of legislation are complied with;
- Advice has been taken from the Chief Executive, Council's Borough Solicitor and Monitoring Officer and Section 151 Officer;
- All Members of the Council are notified of the decision taken by electronic means.

**Urgent Decisions: Cabinet / Executive Matters**

The Leader of the Council, the Deputy Leader of the Council and the relevant portfolio holder (or, in their absence, their nominees), have delegated authority to take any executive decision in consultation with the Chief Executive subject to the following requirements being met:-

- The decision-makers are satisfied that the matter is urgent and cannot await the next meeting of the Cabinet, or an urgently convened Cabinet meeting;
- The decision is reported for information to the next available meeting of the Cabinet;
- The provisions of legislation are complied with;
- The relevant Scrutiny Committee Chairman has been notified of the matter;
- The Leader of the main opposition Group has been invited to make representations on the proposed decision;
- Advice has been taken from the Council's Borough Solicitor and Monitoring Officer and Section 151 Officer;
- All Members of the Council are notified of the decision taken by electronic means.

In addition the following provisions shall apply:-

- Rules 13, 14 and 15 of Access to Information Procedure Rules shall be adhered to, relating to the content of the Forward Plan, general exceptions to the requirement to list decisions on the Forward Plan, and circumstances of special urgency
- Rule 44 of the Executive Procedure Rules shall be adhered to, relating to the Forward Plan and Key Decisions

## **Appendix B**

- Scrutiny Procedure Rules in relation to Call-in (Rule12) shall not apply to urgent executive decisions taken under this procedure (see Rule 13).