

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Executive Manager - Governance (Deputy Monitoring Officer)

To: South Holland District Council Wednesday, 29 July 2020
(Author: Christine Morgan Democratic Services Officer)

Subject Special Urgency - Non-Key Decisions - Application of Call-In

Purpose: To report to Council reasons for urgency relating to a number of Non-Key Decisions, as required by the Council's Constitution

Recommendation:

That the information contained within the report be noted.

1.0 BACKGROUND

- 1.1 Part 4D of the Constitution (Access to Information Procedure Rules) details a number of situations where call-in of a decision may be waived, subject to certain criteria being met and the relevant Urgency Notice being published.
- 1.2 Paragraph 14 lays out how this applies to Non-Key Decisions.
- 1.3 Where, for any Non-Key Decision, any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest, the Executive Decision shall not be subject to call-in subject to:
- The Chairman of the Performance Monitoring Panel agreeing both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency (in the absence of the Chairman, the Chairman of the Council or in his/her absence the Vice-Chairman of the Council's consent shall be required. In the absence of all three, the Head of the Paid Service or his/her nominee's consent shall be required); and
 - The decision notice stating that the decision is not subject to call-in and the reasons why the delay caused by the call-in procedure is considered to be seriously detrimental to the Council's or the public's interest; and
 - A report being submitted to the next available meeting of full Council indicating the reasons for the urgency.

2.0 DECISIONS MADE

- 2.1 A number of decisions have been made over the last few months, as a direct result of the Council's Covid emergency response, that have fallen under the Special Urgency rules for Non-Key decisions detailed above. These are detailed within Appendix A, attached to this report. All decisions met the criteria detailed within the Constitution, and agreement was obtained from the Chairman of the Performance Monitoring Panel. All decisions were

published on the Council's website and Councillors advised of the decisions upon publication. The decisions can be viewed in full on the website via the following link:

<https://democracy.sholland.gov.uk/DelegatedDecisions>

3.0 **OPTIONS**

3.1 To note the information detailed within this report.

4.0 **REASONS FOR RECOMMENDATION**

4.1 To comply with the Council's Constitution.

5.0 **EXPECTED BENEFITS**

5.1 Reporting reasons for urgency will ensure that the requirements of the Constitution are complied with, and demonstrates transparent decision making.

6.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

6.1 **Constitution and Legal**

6.1.1 Paragraph 14 of Part 4D (Access to Information Procedure Rules) of the Constitution requires that a report be submitted to the Council, indicating the reasons for urgency of decisions made under the Special Urgency rules for Non-Key Decisions.

7.0 **WARDS/COMMUNITIES AFFECTED**

7.1 The decisions that have been made, and are detailed within this report, affect all wards and communities.

8.0 **ACRONYMS**

8.1 None.

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| Background papers:- | None |
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Lead Contact Officer

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| Key Decision: | N |
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Exempt Decision: N

Appendices attached to this report:

Appendix A Table explaining reasons for urgency of urgent non-key decisions made