

Appendices: 0



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

7th November 2016

Agenda Status: Public

Directorate: Borough Secretary

Report Title	Cabinet Decision & Special Urgency
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1. Purpose

- 1.1 To report to Council on the use of the special urgency procedure and the power contained in the Constitution where the decision being taken is urgent.

2. Recommendations

- 2.1 Council is recommended to note the content of this report.

3. Issues and Choices

3.1 Report Background

- 3.1.1 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that a Key Decision is publicised for 28 clear days in advance of it being made.
- 3.1.2 Where the publication of the intention to make a Key Decision in this way is impracticable, that decision may only be made where the proper officer has informed the Chair of the Overview and Scrutiny Committee of the matter about which the decision is to be made. The Key Decision may then only be made after 5 clear days have elapsed following the publication of the notice given to the Chair of Overview and Scrutiny. This is called the general exception process.
- 3.1.3 Where the date by which a Key Decision must be made, makes compliance with the general exception process impracticable, the decision may only be made where the decision maker has obtained agreement from the Chair of the Overview and Scrutiny Committee that the making of the decision is urgent and cannot reasonably be deferred. Where the Chair of Overview and Scrutiny is unable to act, agreement may be obtained from the Mayor. This

is called the special urgency procedure. Use of the special urgency procedure is required to be reported to Full Council.

3.1.4 The Overview and Scrutiny Procedure Rules require that decisions taken as a matter of urgency must be reported to the next available meeting of the Council.

3.1.5 Council is therefore asked to note that Cabinet made an executive decision on 19th October 2016 pursuant to the special urgency provisions. Details of the decision are set out below.

3.2 Decision details

3.2.1 Cabinet made a Key Decision on 19th October 2016 pursuant to the special urgency procedure. The Chair of Overview and Scrutiny's consent was obtained and agreed that the decision was reasonable in all the circumstances and to it being treated as a matter of urgency.

3.2.2 A summary of the decision of Cabinet is set out below:

- a) Approval of capital expenditure up to £100,000 to support the refurbishment of the nightshelter, using the Council's capital resources approved by Council in February 2016; and
- b) Approval of a one-off supplementary estimate for revenue costs of £160,000 to fund the nightshelter until September 2018, and for these costs to be funded from housing reserves approved by Council in February 2016.

3.2.3 The reason for the urgency was that:

"The making of this decision was urgent and could not reasonably be deferred because any delay in the refurbishment and compliance works and the recruitment of the two full-time nightshelter staff will prevent the emergency nightshelter from opening until after Christmas 2016. This will undermine the delivery of Northampton's Multi Agency Rough Sleepers Strategy and result in up to 20 homeless people having no other option but to sleep rough until the nightshelter was up and running".

4. Implications (including financial implications)

4.1 Policy

4.1.1 None.

4.2 Resources and Risk

4.2.1 None.

4.3 Legal

4.3.1 Contained within the body of the report.

4.4 Equality

4.4.1 There are no direct equality and diversity implications arising from this report.

4.5 Other Implications

4.5.1 None.

5. Background Papers

5.1 None

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