

Item No. 78.3	Classification: Open	Date: 26 th March 2003	Meeting Name: Council Assembly
Report title:		Report of the Special Urgency Provision	
Ward(s) or groups affected:		All	
From:		Chief Executive (Borough Solicitor & Secretary)	

RECOMMENDATION

1. That Council Assembly notes the schedule of Special Urgency decisions taken in accordance with Overview and Scrutiny Procedure Rule 20.1 (2), as set out in the appendix to this report.

BACKGROUND INFORMATION

2. The process for special urgency decisions is set out in Rule 20.1 (2), Overview and Scrutiny Procedure Rules which states:-

Special Urgency – (Rule 16, Access to Information Procedure Rules) If by virtue of the date by which a decision must be taken under General Exception cannot be followed¹, then the decision can only be taken if the decision taker (if an individual) or the Chair of the body making the decision, obtains the agreement of the Chair of the Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If there is no Chair of the Overview and Scrutiny Committee, or if the Chair is unable to act, then the agreement of the Mayor of the Council, or in his/her absence the Deputy Mayor, will suffice.

The decision will be subject to call-in.

3. The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, Part IV (2) requires local authorities to submit a report detailing each executive decision taken where the making of the decision was agreed as a special urgency decision.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Special Urgency Decisions	Southwark Town Hall, Peckham Road, London SE5 8UB	Tim Murtagh 020 7525 7232

¹ General Exceptions notices require that notice of at least 5 clear working days is given prior to a decision been taken.

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Support Manager - Executive	
Report Author	Lesley John, Constitutional Support Unit	
Version	Final	
Dated	11 th March 2003	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	No	No
Chief Finance Officer	No	No
Executive Member	No	No
Date final report sent to Constitutional Support Services	14.03.03	

QUARTERLY REPORT OF SPECIAL URGENCY DECISIONS 2002/03

REPORT TITLE/DECISION	DATE AND MEMBER WHO AGREED TO SPECIAL URGENCY	REASON FOR URGENCY	DATE AGREED BY EXECUTIVE
<p><u>The Capital Programme 2002/03:-</u></p> <p>The Executive noted the current position of the Capital Programme, invited the Overview and Scrutiny Committee to investigate the reasons for and implications of the overspend on Charter School and the state of the Capital Programme generally. The Executive asked for a draft capital strategy to be submitted in early 2003 and that the EIP resources/unspent Section 106 funds be diverted to Bankside Open Spaces Trust, Dulwich Park refurbishment of toilets. The Chief Officer Team were asked to review all outstanding capital commitments by no later than 31.10.02 and they are to provide regular updates to Members. The Executive agreed to monitor investment plans and review disposals on a quarterly basis and release funds for new projects accordingly. The existing commitment to the South London Gallery is to be met from next year's Capital Budget and a commitment was made in respect of Dockley Road. The Executive agreed that further capital bids be deferred until the draft Capital Strategy was ready for approval in 2003.</p>	<p>Councillor Kim Humphreys 21.10.02</p>	<p>At the time of writing the report, a number of schemes could not proceed until the financial position on the capital programme had been discussed by the Executive.</p>	<p>22.10.02</p>
<p><u>Report Back on Contract Negotiations with Liberata (Closed Report) :-</u></p> <p>The Executive received a report back on the negotiations on the Liberata contract for the Council's Revenue and Benefits service. The implications of the report were noted and the principles which would form the basis of the new contact with Liberata were agreed.</p>	<p>Councillor Kim Humphreys 21.10.02</p>	<p>The report needed to be approved so that contract negotiations could be finalised by the end of December 2002.</p>	<p>22.10.02</p>

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<p><u>Changes to Policies relating to Controlled Parking Zones:-</u></p> <p>The Executive agreed that in respect of the 7 proposed parking zones the pay and display machines should be introduced in shared use bays for residents/businesses/visitors, where appropriate; disabled drivers are to be permitted to use permit bays for parking within Southwark, in addition to designated disabled parking bays; residents are to be allowed to park their motorcycles in permit bays at a reduced cost; residents/business permits are to be given at a discounted price to the users of environmentally friendly vehicles; essential Council worker parking permit are to be introduced to ensure that staff in receipt of essential car allowances are able to park in controlled parking zones whilst working; the Transport for London is to be approached for funding to introduce the above modifications into existing parking zones in the borough. The Strategic Director of Regeneration was asked to report back in 6 months after the new parking zones are introduced.</p>	<p>Councillor Kim Humphreys 21.10.02</p>	<p>The proposed zones needed to be agreed prior to the Mayor of London's congestion charging scheme being introduced.</p>	<p>22.10.02</p>
<p><u>Revenue & Benefits for 2002/03, 2003/04 and Future years:-</u></p> <p>The Executive noted the current budget forecasts for 2002/03 and future years and asked the Chief Finance Officer to explore the growth and savings options available to the Council for the 2003/04 budget and report back to the 17.12.02 meeting. The report was also referred to the Overview and Scrutiny Committee for action in accordance with the budget time-table set out in the report.</p>	<p>Councillor Kim Humphreys 21.10.02</p>	<p>The report allowed members to be appraised of the current financial position so that officers could formulate proposals for December 2002.</p>	<p>5.11.02</p>
<p><u>Local Improvement Finance Trust (LIFT):-</u></p>			

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<p>The Council agreed to become a contracting partner with the Lambeth, Southwark and Lewisham LIFT project as set out in para 14 to 23 of the report, supported the issue of the OJEC notice and agreed to signed up to the Strategic Services Development Plan for LSL LIFT which will be published by early January 2003.</p>	<p>Councillor Kim Humphreys 12.12.02</p>	<p>The OJEC contract notice needed to be issued in early January before the next Executive on 14th January.</p>	<p>17.12.02</p>
<p><u>London Boroughs Grants Scheme 2003.4</u></p> <p>The Executive agreed that the budget recommended by the London Borough Grants Committee of £28,923,370 for 2003/04 be agreed.</p>	<p>Councillor Kim Humphreys 14.1.03</p>	<p>In accordance with the Grants to Voluntary Organisations Order 1992, the required two-thirds of constituent Councils must have agreed the budget by 1st February 2003. If not, the budget will be deemed to be the same as that approved for 2002/03.</p>	<p>14.01.03</p>
<p><u>South London Gallery Trust Stabilisation – Decisions for Council</u></p> <p>It was noted that the Council has 2 separate roles in relation to the operation of the SLG and the decisions of the 9/4/02 Ratification Committee were noted and endorsed. The Executive noted the advice of the SLG Steering group to the Council as Corporate Trustees and the decisions made in response to these. The SLA was agreed with effect from 1.4.03 and the issue of the ownership of the property occupied by SLG was noted An in-principle agreement to the transfer of No.67 Peckham Road was agreed on the terms which secure the redevelopment of the property for use in connection with the</p>	<p>Councillor Kim Humphreys 18.02.03</p>	<p>The decision was brought forward (from March) to allow the Executive to determine a number of management issues necessary to facilitate the Gallery's establishment as an independent charitable company. Delay may have threatened external funding from the Arts Council /</p>	<p>25.02.03</p>

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<p>gallery within a 5 year time-scale. The position of the transfer of Staff to TUPE was noted. The Executive noted the advice on the SLG Collection and agrees to accept the Collection subject to ongoing negotiations on the terms of the draft loan agreement. The advice on the SLG Endowment Fund was noted. It was noted that the trust would be applying for discretionary 20% relief from NNDR as a charity in addition to the mandatory 80% relief for Charities.</p>		London Arts.	
<p><u>Award of the Negotiated Revenues and Benefit Contract</u></p> <p>The Executive noted the recommendations from Scrutiny on service development and requested that the investment proposal from Liberata be reviewed in February 2004. The contracted was awarded to Liberata from 1.4.03 on a two year rolling basis with an annual review, starting 1.4.04 by which time the Executive expects Liberata to have moved to 'open book' accounting. The Executive requested an report at the earliest opportunity on the implications of the introduction of the Customer Access Strategy on the Revenue and Benefits Contract</p>	<p>Councillor Kim Humphreys 18.02.03</p>	<p>Urgent approval was needed to enable the contract signing to be finalised by the end of February 2003 to facilitate the April start.</p>	<p>25.02.03</p>
<p><u>Association of London Government Transport and Environment Committee Variation to s/01 Agreement to Facilitate Roadside Vehicle Emission Testing and Enforcement</u></p> <p>The Executive accepted the legal structure for the governance of the London-wide programme of roadside emissions testing and the variation of the s101 Local Government Act 1972 agreement to allow the authority's delegation of the authorities' testing power to the Association of London Government (ALG) and requested that Council Assembly formally pass a resolution to allow the delegation of the authorities' testing powers to the ALG through the variation of the section 101 ALG Transport and</p>	<p>Councillor Kim Humphreys 07.03.03</p>	<p>To ensure that the contract and the project start in April 2003, the agreement needs to be signed by the end of March 2003.</p>	<p>11.03.03</p>

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Environment Committee (TEC) agreement.			