

Item No. 6.4	Classification: Open	Date: 22 March 2023	Meeting Name: Council Assembly
Report title:		Special Urgency and Urgent Implementation Decisions – Annual Report	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATION

1. That council assembly notes the schedule of special urgency and urgent implementation decisions (set out in Appendix 1) taken in accordance with access to information procedure rules 19 and 20.

BACKGROUND INFORMATION

2. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires local authorities to consider an annual report detailing each executive decision where the making of the decision was agreed as a special urgency decision.
3. Special urgency decisions are decisions that need to be taken within five clear working days; i.e. the requirements of access to information procedure rule 18 (general exception) on notice cannot be complied with.
4. The procedure for special urgency decisions is set out in Rule 19 of the access to information procedure rules. It states:

“If the date by which a decision must be taken means that rule 18 (general exception) cannot be followed, then the decision can only be taken if the decision maker (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 the chair of overview and scrutiny committee is unable to act, then the agreement of the Mayor of the council, or in his/her absence the Deputy Mayor will suffice.”

5. Urgent implementation decisions are decisions that whether they have been included on the forward plan or not, need to be implemented immediately by virtue of the urgency of the actions that need to be taken. These decisions are not subject to call-in. Decisions taken under urgent implementation are not required to be reported to council assembly, however as urgency also applies these have been included.

6. The procedure for urgent implementation is set out in Rule 20 of the access to information procedure rules. It states:

“If a decision needs to be implemented immediately by virtue of the urgency of the actions that need to be taken, then the decision can only be taken if the decision maker (if an individual) or the chair of the body making the decision obtains the agreement of the chair of overview and scrutiny committee both that the decision proposed is:

- a) reasonable in all circumstances
- b) to be treated as a matter of urgency.”

KEY ISSUES FOR CONSIDERATION

7. The schedule listed as Appendix 1 contains details of those decisions which have been considered under the provisions of special urgency or urgent implementation since the last annual report of 23 March 2022. There was 1 Urgent Implementation decisions in this period.

Policy framework implications

8. This report is not considered to have direct policy implications.

Community, equalities (including socio-economic) and health impacts

9. There are no direct community, equalities or health impacts arising from this report.

Climate change implications

10. There are no direct climate change implications arising from this report.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Special Urgency and Urgent Implementation Decisions	Council Offices, 160 Tooley Street, SE1 2QH	Virginia Wynn-Jones 020 7525 7055
Link		
Gateway 2 - Contract Award Approval: Enabling works and demolition for Phase 1 of the Tustin Estate Low Rise - Southwark Council		

APPENDICES

No.	Title
Appendix 1	Schedule of Special Urgency and Urgent Implementation Decisions

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Maria Lugangira, Principal Constitutional Officer	
Version	Final	
Dated	28 February 2023	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive Governance and Assurance	No	No
Strategic Director of Finance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	28 February 2023	