

Reporting of Urgent Decisions

Report of the Head of Legal and Democratic (Portfolio: Corporate)

Recommended:

That the Licensing Committee notes the urgent decision set out in the annex to the report which was taken by the Chief Executive in consultation with the Leader during the period of national emergency presented by the Coronavirus pandemic.

SUMMARY:

- The Council's constitution delegates power to the Chief Executive in consultation with the Leader to take decisions in urgent or emergency situations.
- This power is subject to reporting those decisions back to Council, Cabinet or the Committee concerned.
- This report contains details of an urgent decision made by the Chief Executive and the Leader since 23 March 2020 to date, which the Licensing Committee is asked to note.

1 Introduction

- 1.1 The emergency presented by the Coronavirus pandemic required the Chief Executive in consultation with the Leader to take certain urgent decisions.
- 1.2 These decisions must be reported back to Council, Cabinet or the Committee concerned and this report fulfils that requirement.

2 Background

- 2.1 Under the constitution the Chief Executive in consultation with the Leader is delegated power to take urgent decisions.
- 2.2 Delegation (2) of the "Delegations to Chief Executive" reads:

"To do anything, in consultation with the Leader, which is calculated to facilitate, or is conducive or incidental to the discharge of the Council's functions subject to:

 - (i) the matter being regarded as an emergency or urgent situation; and
 - (ii) a report back to the Council, Cabinet or Committee concerned.
- 2.3 The Coronavirus pandemic can properly be considered an "emergency or urgent situation" for the purposes of the above delegation.

- 2.4 As the Coronavirus pandemic developed and legislation and Government guidance emerged, decisions needed to be taken. Some of these decisions were by their very nature urgent and others had no Council, Cabinet or Committee meeting to which they could be brought as legislation had yet to be passed enabling Council meetings to take place remotely. The Chief Executive therefore took the required decisions in consultation with the Leader.
- 2.5 Some decisions were needed to implement urgently enacted legislation or to delegate power to Officers to act; others to deal with the various peculiarities and demands of the emerging situation.
- 2.6 The following decision was made under the power delegated to the Chief Executive:

30 March 2020	Taxi compliance testing
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- 2.7 Copies of the Written Statement of Decision are attached as an Annex to this report. The Statement sets out the full details of the decision made and the reasons for that decision.

3 Corporate Objectives and Priorities

- 3.1 The appended decision was made in the early days of the Coronavirus (Covid 19) pandemic and was necessary to enable the Council to continue to fulfil its functions, cutting across all of the Council’s corporate objectives and priorities at a time of national emergency.

4 Consultations/Communications

- 4.1 No consultation has taken place on this report. Any consultation undertaken will be recorded in the Statement of Decision.

5 Options and Options Appraisal

- 5.1 This report is for noting only. The decision has been made and implemented. The decision made pursuant to the urgency delegation was reported to Council on 10 June 2020.

6 Risk Management

- 6.1 A Risk Management questionnaire has been completed and indicates this report does not require a risk assessment because the changes/issues covered by this report are not significant in terms of risk or have previously been considered.

7 Resource Implications

- 7.1 There are no resource implications of this report. The resource implications of each particular decision are, where appropriate, considered in the Written Statement of Decision.

8 Legal Implications

- 8.1 Similarly, there are no legal implications of this report. Any legal issues which were taken account in the decision making are recorded in the individual Written Statements of Decision. The Council's Constitution requires those decisions to be reported back to Council, Cabinet or other Committee.

9 Equality Issues

- 9.1 No equality issues arise as a result of this report. Any equality issues arising as a result of the individual decisions appended are addressed within each Statement of Decision.

10 Conclusion and reasons for recommendation

- 10.1 This document reports to Council the urgent decisions taken by the Chief Executive in consultation with the Leader during the period of emergency presented by the Coronavirus (Covid 19) pandemic. Council is asked to formally note this report.

<u>Background Papers (Local Government Act 1972 Section 100D)</u> Written Statement of Decision as Annexed to this report.			
<u>Confidentiality</u> It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1		
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File Ref:			
Report to:	Licensing Committee	Date:	16 July 2020