



# **NOTICE OF A CASE OF SPECIAL URGENCY FOR THE MAKING OF A KEY DECISION<sup>1</sup>**

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<sup>1</sup> In accordance with Regulation 11(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. Where a decision maker intends to make a key decision,<sup>2</sup> that decision must not be made until at least 28 clear days public notice has been given<sup>3</sup>.
2. Where the publication of the intention to make a key decision is impracticable, that decision may only be made where the Chair of the Overview and Scrutiny Committee has been informed of the matter about which the decision is to be made, notice to the Chair has been made available for public inspection at the Council offices and published on the Council's website, and after 5 clear days have elapsed following the day on which notice to the Chair was made publicly available<sup>4</sup>.
3. Where the date by which a key decision must be made makes compliance with the requirements of paragraph 2 above 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<sup>5</sup>.
4. **This notice<sup>6</sup> confirms that the Chair of the Overview and Scrutiny Committee has agreed that the making of the key decision in relation to the business set out below is urgent and cannot reasonably be deferred for the reasons set out below**

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<sup>2</sup> A Key Decision is defined in legislation as an executive decision, which is likely:

- to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.
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<sup>3</sup> In accordance with Regulation 9(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>4</sup> In accordance with Regulation 10(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>5</sup> In accordance with Regulation 11(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>6</sup> In accordance with Regulation 11(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Date of decision or period within which the decision is to be made	Matter in respect of which the decision is to be made	Short description	Decision maker	Cabinet Member & Lead Officer	List of documents to be submitted to the decision maker	If all or part of the report is exempt or confidential this will be stated below and reason given. If all the papers are publically accessible this column will say public	Reasons why decision is urgent and cannot reasonably be deferred
7 April 2020	Transfer of 'Hard' Facilities Management (FM) Services to Homes for Haringey (HfH)	To confirm HfH management of commercial and other premises and which are accounted for in the Council's general fund from 1 <sup>st</sup> April 2020 for a term of up to 12 months to 31 <sup>st</sup> March 2021	Leader of the Council  Cllr Joseph Ejiofor	Leader of the Council  Director of Housing, Regeneration and Planning	Report of the Director of Housing, Regeneration and Planning	Public	Having served a valid notice to terminate the FM services contract with Amey with effect from 31 <sup>st</sup> March 2020, it is vital that arrangements are put in place for those services to be carried out without interruption with effect from 1 <sup>st</sup> April 2020. The need is heightened given the current challenges being presented by Covid-19.  An interim arrangement lasting for up to 12 months has been reached with Homes for Haringey for it to deliver the services pending formal variation of the Management Agreement between the organisations which is to take place on or before 31 <sup>st</sup> March 2021. This is

							<p>consistent with the decision made by Cabinet on 9<sup>th</sup> July 2019 for the services to be delivered as a hybrid model between the Council and Homes for Haringey.</p> <p>Given the urgency of the need to provide the services, It is not practicable to comply with the 28-day notice requirement in Part Four, Section D, Rule 13 of the constitution or the 5-day notice period requirement for key decisions. This is set out in Part Four, Section D, Rule 16, of the Constitution.</p> <p>As set out below the decision is urgent and time critical in accordance with Part 4 Section H paragraph 18 (a) and 18 (b)</p> <p>If the decision is deferred, the risk to public health in the current climate will be heightened. Accordingly, it would not be in the public interest for the decision to be deferred.</p>

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*Please be advised that the Chair of Overview and Scrutiny has further agreed that the call-in procedure shall not apply to this urgent decision. This is because the decision is urgent and any delay in implementation caused by the call-in procedure would seriously prejudice the Council's or the public's interests given the current challenges posed by Covid-19. Further, the decision amounts to a minor operational change to the decision already made by Cabinet and is consistent with that decision. Accordingly, the Chair of Overview and Scrutiny Committee has agreed that the decision is both reasonable in all circumstances, and that it should be treated as a matter of urgency. This is in accordance with Part 4, Section H, and Paragraph 18 (a) and (b) of the Council Constitution.*

Bernie Ryan  
Assistant Director Corporate Governance  
Haringey Council

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