

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

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>.

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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.

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	Agenda item title	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 publicly accessible this column will say public	Reasons why decision is urgent and cannot reasonably be deferred
17 <sup>th</sup> – 19 July	Variation of Electrical Inspection Reports programme	This report seeks approval for the variation of the existing contract values for the current provision of Electrical Inspection Reports programme to the Council, by two contractors, for the remaining contract term, to April 2024.	Cabinet Member Signing	Cabinet Member for Housing Services, Private Renters and Planning  Director of Placemaking and Housing ...	Report of the Director of Placemaking & Housing	Public	There is an urgent need to continue with the contract, allowing this contract to lapse will mean we are at risk of not complying with regulatory/statutory requirements.. To undertake a new procurement would take too long and we would be unable to continue delivering the Electrical inspection programme and associated works which includes completing urgent and high risk actions as part of the regulatory regime.

							<p>Due to additional works identified in the inspection, we have utilised the full value of the contracts and need urgent approval to continue. The contract has already carried out a significant amount of work which requires payment urgently.</p> <p>Unfortunately we cannot wait for 28 days as the contractors require payment as a matter of urgency and we cannot wait for call in period.</p> <p>Given the above, 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,</p>
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							<p>Rule 17, 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>
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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 due to the fact that this decision will ensure that our contractors can receive payment for works completed and continue with critical life safety inspections and repair works. 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.*

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