

Bolsover District Council

Council

3 November 2021

REPORT ON URGENCY DECISION

Report of the Monitoring Officer

Classification: This report is public

Report By: Nicola Calver – Governance Manager

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PURPOSE / SUMMARY

To inform Council of a decision taken under urgency provisions within the Council's Executive Procedure Rules.

REPORT DETAILS

1 Background *(reasons for bringing the report)*

- 1.1 Key Decisions made by the Executive or officers are usually subject to call-in, however the call-in procedure may be waived where the matter is urgent, in accordance with rule 4.5.15 of the Scrutiny Procedure Rules.
- 1.2 Before a decision can be made which is exempt from call-in, the Chair of the relevant Scrutiny Committee must agree that both the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.
- 1.3 Decisions taken under this provision must be reported to the next available meeting of the Council, together with the reasons for urgency, which is the purpose of this report.

2. Details of Proposal or Information

- 2.1 At the end of September, the Council's Insurance Policies needed to be renewed. Unfortunately, due to circumstances outside of the Council's control, the Insurance Company was unable to provide the renewal figures until a very late stage. Notice of the Key Decision to be taken by the Assistant Director of Finance and Resources and Section 151 Officer on this matter had been given however due to the urgency of renewing the Insurance Policies, once the decision was taken it needed to be implemented immediately and this did not allow for the call-in period.

- 2.2 The Chair of Audit and Corporate Overview Scrutiny Committee, agreed that the decision was reasonable in all the circumstances and to it being treated as a matter of urgency.
- 2.3 The decision was made by the Assistant Director of Finance and Resources and Section 151 Officer on 29th September 2021.
- 2.4 A copy of the Delegated Decision (DD/006/21/TF) and the accompanying consultation report are attached at Appendices 1 and 2.

3 Reasons for Recommendation

- 3.1 Members are asked to note the decision recently taken which was exempt from the call-in procedure.

4 Alternative Options and Reasons for Rejection

- 4.1 Not applicable as this report is for information only in compliance with the Council's procedure rules.

RECOMMENDATIONS

1. That the report be noted.

Approved by the Portfolio Holder - Cllr Duncan McGregor, Deputy Leader and Executive Member for Corporate Governance

IMPLICATIONS

Finance and Risk: Yes No

Details:

There are no finance implications arising from this report.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

Failure to take decisions in accordance with the Council's constitution, or to report them as required in this case, could leave the Council open to challenge.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

There are no human resource implications arising from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/></p> <p>NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Significantly Affected</p>	None
<p>Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Yes</p> <p>Details: The Portfolio Holder and the Chair of the Audit and Corporate Overview Scrutiny Committee were consulted</p>

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

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DOCUMENT INFORMATION

Appendix No	Title
1	Delegated Decision
2	Consultation Report

Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)

None