

Report to Governance Committee

12 September 2022

Urgent and Short Notice Decisions

Report by Director of Law and Assurance

Electoral division: Not applicable

Summary

The rules and procedures for dealing with urgent and short notice decisions as part of the Council's decision-making processes are set out in Standing Orders. An officer review has concluded that a simplification and clarification would be helpful.

Recommendation

That a recommendation be made to the County Council on 14 October 2022 that Part 4, Section 1 of the Constitution be amended with the new wording on urgent and short notice decisions set out in Appendix A.

Proposal

1 Background and context

- 1.1 There is a presumption that the decision-making processes of local authorities will be transparent and that decisions will be taken in accordance with them. They include public notice of intended key decisions. There are occasionally exceptional circumstances where decisions need to be taken quickly and the usual processes and timescales cannot be followed. Local authorities have provisions for taking urgent or short notice decisions in line with national regulations, guidance and best practice.
- 1.2 Part 4, Section 1 of the County Council's Constitution contains the Standing Orders which set out the way in which decisions must be taken. The Standing Orders for urgent and short notice decisions are set out in two sections of Standing Orders, Part 3 on committees and decision making in general and Part 5 on Executive decision making.
- 1.3 The wording has been altered over time and the current wording is causing confusion and uncertainty. An officer review has concluded that it would be helpful to simplify and reorder the text, to be combined in one place in Part 3 of Standing Orders.

2 Proposal details

- 2.1 The proposed new wording is set out in Appendix A. It does not change the substance of any of the existing provisions but sets them out more coherently

and with clearer language.

3 Other options considered (and reasons for not proposing)

3.1 Leaving the Standing Orders is possible, but this is not proposed because of the risk of the current version being misinterpreted. Other wording is always possible.

4 Consultation, engagement and advice

4.1 Not applicable.

5 Finance

5.1 There are no financial implications arising from this report.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Errors may occur in urgent or quick decision making due to officer error due to unclear Standing Orders.	These changes to the Constitution would reduce the risk of error.

7 Policy alignment and compliance

There are no implications relating to Council policies but the aim is to further improve Council governance arrangements in terms of transparency and clarity.

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Appendices

Appendix A, Proposed Changes to Standing Orders

Background papers

None