

## London Borough of Hammersmith & Fulham

**Report to:** Full Council

**Date:** 15 July 2020

**Subject:** Special Urgency Decisions – Monitoring Report

**Report of:** Councillor Stephen Cowan – The Leader of the Council

**Responsible Director:** Rhian Davies – Director of Resources

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### Summary

This report presents details of decisions taken by the Leader under the urgency provisions of the Constitution. The report covers the period 4 May 2019 to 1 July 2020.

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### Recommendation

That the decisions taken by the Leader under the urgency provisions attached as Appendix 1, be noted.

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**Wards Affected:** All

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### H&F Priorities

| <b>Our Priorities</b>                       | <b>Summary of how this report aligns to the H&amp;F Priorities</b>         |
|---|--|
| Doing things with residents and not to them | Openness and transparency is a key feature of the Administration's policy. |

### Financial Impact

There are no direct financial implications.

### Legal Implications

The legal implications are contained within the body of the report

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## Background Papers Used in Preparing This Report

None

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## Detailed Analysis

1. 19 general exception and 2 special urgency decisions were taken by the Leader under the urgency provisions.

## General Exception Decisions

2. If a matter which is likely to be a Key Decision has not been included in the Key Decisions list, then subject to Rule 17 (Special Urgency), the decision may still be taken if:
  - (a) the proper officer has informed the Chair of a relevant Policy and Accountability Committee, or if there is no such person, each member of that Committee, in writing, by notice, of the matter about which the decision is to be made and the reason why the matter should be classified as urgent;
  - (b) the proper officer has made copies of that notice available to the public at the offices of the Council and on the Council's website, stating why the requirements of Rule 13 cannot be complied with; and
  - (c) at least 5 clear days have elapsed since the proper officer complied with (b).

Where such a decision is taken collectively, it must be taken in public.

3. 19 reports were taken undertaken under this procedure.

## **Special Urgency Decisions**

4. Under Rule 17, the Leader or Cabinet can take a decision where the item has not been published on the Key decision list or where officers request that Call in be waived due to the urgency of the decision.
5. This type of decision can only be taken if the decision maker (if an individual), or the Chair of the body making the decision:
  - a. obtains the agreement of the Chair of the relevant Policy and Accountability Committee, and the Mayor that it is reasonable to treat it as an urgent matter.
  - b. obtains the agreement of the Mayor to waive the call-in so that the decision can be implemented with immediate effect.
  - c. the proper officer makes available at Hammersmith Town Hall and on the Council's website a notice setting out why the decision is urgent and cannot reasonably be deferred.
6. Two decisions were taken where the item was not placed on the Key Decision List.
  - Termination of Conditional Land Sale Agreement – Earl's Court
  - Covid-19 Response - Delegated Powers
7. The Mayor waived the Call-In period for the above 2 decisions due to their urgency:

## **Reasons for Decision**

8. The Leader is required to submit reports to the Council on Executive decisions taken using the urgency procedure. The reports must include the number of decisions so taken and a summary of the matters in respect of which those decisions are taken.

## **Equality Implications**

9. There are no anticipated negative implications for groups with protected characteristics, under the Equality Act 2010, by these proposals.

*Implications verified by: Fawad Bhatti, Policy & Strategy Officer, Tel. 07500 103617*