

LONDON BOROUGH OF HAMMERSMITH & FULHAM

Report to: Full Council

Date: 13/07/2022

Subject: Special Urgency Decisions – Monitoring Report

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

Responsible Director: David Tatlow, Director of Corporate Resources and Monitoring Officer

SUMMARY

This report presents details of decisions taken by the Leader under the urgency provisions of the Constitution. The report covers the period 1 April 2021 to 31 March 2022.

RECOMMENDATIONS

1. That Full Council note the decisions taken by the Leader under the urgency provisions attached as Appendix 1.

Wards Affected: None

H&F Priorities

Our Priorities	Summary of how this report aligns to the H&F Priorities
Doing things with residents and not to them	This report increases transparency for the public around the decisions made under the urgency provisions of the Council's constitution.

Financial Impact

There are no direct financial implications.

Andre Mark, Head of Finance (Corporate Services), signed on 13 June 2022

Verified by Emily Hill, Director of Finance on 15 June 2022

Legal Implications

The legal implications are contained within the body of the report

Adesuwa Omoregie, Assistant Director, Legal Services, signed on 13 June 2022

Background Papers Used in Preparing This Report

None.

DETAILED ANALYSIS

Proposals and Analysis of Options

1. Two general exception and no 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. Two reports were taken undertaken under this procedure of which one was fully open, and one report was open with exempt appendices.

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. There was no decision taken where the item was not placed on the Key Decision List.
7. The Mayor did not waive the call-in period for any decision due to its urgency over the period between 1st April 2021 to 31st March 2022.

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.

LIST OF APPENDICES

Appendix 1 – List of Urgent Executive Decisions made by the Leader