
CABINET URGENT DECISIONS

Responsible Cabinet Member(s) - Councillor John Williams, Leader

Responsible Director(s) - Corporate Management Team

Matter for Consideration

1. To report the urgent decisions made by Cabinet to which the procedure for calling-in could not be applied and the decision made by Cabinet in accordance with the Special Urgency Rule, as contained in this Council's Constitution.

NOTE – The topic of the reports outlined below are not to be the subject of debate by Council. However, Councillors may ask technical or factual questions to the relevant Directors as to the reason(s) for urgency.

Information

2. Contained within this Council's Constitution is a procedure for Scrutiny Committees to call-in decisions of Cabinet. This call-in procedure does not apply where the decision being taken by Cabinet or an Officer is urgent.
3. A decision will be urgent if any delay which is likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.
4. The Constitution states that decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency and given below are details of such a decision taken since the last ordinary meeting of Council held on 23rd March, 2006.
5. In addition, there are also provisions within this Council's Constitution for a decision which is a key decision and which has not been included on the Forward Plan to be made under the Special Urgency Rule. The Special Urgency Rule requires the agreement of the Chair or Vice-Chair of the relevant Scrutiny Committee that the taking of the decision could not be reasonably deferred and, in this instance, the approval of Councillor Swift, as the relevant Chair, was obtained.
6. The Constitution also requires quarterly reports to Council on Cabinet decisions taken in the circumstances set out in the Special Urgency Rule in the preceding three months, and that decision is also detailed below.

C187(4)	Housing Investment Programme 2006/07	To enable the housing capital expenditure for 2006/07 to be commenced with immediate effect. (Cabinet Urgent Decision)
C187(5))	Asylum Support Contract	The National Asylum Support Service requested that contracts be signed as soon as possible due to the fact that negotiations were complete. Early agreement to the new arrangements would, therefore, enable a new contract to be signed off at the earliest possible time once all six local authorities involved confirmed their acceptance. (Cabinet Urgent Decision and Special Urgency Rule)
C18	Hurworth School	The issue of non-teaching staff and their access to the Local Government Pension Scheme needed to be dealt with before Hurworth School became a foundation school on 24th April, 2006. (Cabinet Urgent Decision)
C189	Durham Tees Valley Airport – Southside Development Agreement	To give Peel Airports Limited early confirmation of the approval by all parties to the subscription and shareholders agreement, including the local authority shareholders. (Cabinet Urgent Decision)
C201	Flat 91 Dinsdale Crescent, Acquisition	To enable the acquisition to be achieved as soon as possible in order to facilitate its inclusion in the remodelling works at Dinsdale Crescent and to reduce the impact of the purchase and timetable for completion of the works. (Cabinet Urgent Decision)
C202	No. 2 Chancery Lane, Darlington	To allow the accommodation to be secured at the earliest possible opportunity for the delivery of the leading edge projects. (Cabinet Urgent Decision)

Outcome of Consultation

7. No formal consultation was undertaken in the preparation of this report.

Council Policy Framework

6. The issues contained within this report have, in accordance with the Constitution, to be considered by Council.

Legal Implications

7. This report has been considered by the Legal Services Manager for legal implications in accordance with the Council's approved procedures. There are no issues which the Legal Services Manager considers needs to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1988

8. The contents of this report has been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its areas. It is not considered that the contents of this report have any such effect.

Recommendation

9. That the urgent decisions taken be noted.

Reason

10. To comply with this Council's Constitution.

Corporate Management Team

Background Papers

Reports to Cabinet on 4th April, 2006, entitled Housing Investment Programme 2006/07, Asylum Support Contract, Hurworth School, Durham Tees Valley Airport - South Side Development Agreement, Acquisition of Flat 91, Dinsdale Crescent and No. 2 Chancery Lane, Darlington.

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