
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 26th January, 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 Haszeldine, 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.

C153(2)	Darlington's Draft Local Area Agreement	The current round of LAA's were required to be formally signed off at the end of March 2006. In order to meet that deadline ministerial consideration was required in advance and accordingly the Government brought forward the deadline for final submissions to 10th February, 2006 (Cabinet Urgent Decision and Special Urgency Rule)
C172(1)	Taxi Licence Fees and Charges - Increases	To enable the budget to be implemented for the start of the financial year (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 Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor 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 1998

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

Report to Cabinet on 7th February, 2006 on Darlington's Draft Local Area Agreement
 Report to Cabinet on 7th March, 2006 on Taxi Licence Fees and Charges - Increases