
CABINET URGENT DECISIONS

Responsible Cabinet Member - Councillor John Williams, Leader

Responsible Director - 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 decisions made by Cabinet in accordance with the Special Urgency Rule, as contained in this Council's Constitution.

NOTE – The topics 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 Director 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 interest.
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 25th May, 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 decisions could not be reasonably deferred and, in these instances, the approval of Councillors Hughes and S. Robson, as the relevant Chairs, were obtained, and those decisions are detailed below.

C24 (1)	Building Schools for the Future Primary Programme and Building Schools for the Future Primary Pilot Proposal	To enable the Council to submit a pilot proposal for North Road Primary School to the Department for Education and Skills (DfES) by the required deadline of 14th June 2006. (Cabinet Urgent Decision and Special Urgency Rule).
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C24 (2)	Expression of Interest in an Academy for Darlington	To allow the Expression of Interest to be submitted to the Department for Education and Skills (DfES) for consideration at its panel on 5th July 2006 and further work on feasibility to progress as appropriate. (Special Urgency Rule).
C27 (3)	Proposed Residents Parking Scheme – Stanhope Road Area	To ensure that Members can consider the objections at the earliest opportunity and implement recommendations. (Special Urgency Rule).
C40	Service 16 Mowden to Newton Aycliffe	To request Members approval for the replacement of an existing bus services, which is being withdrawn on the 30th July 2006. (Cabinet Urgent Decision and Special Urgency Rule)

Outcome of Consultation

6. 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

- (i) Reports to Cabinet on 13th June 2006, entitled Building Schools for the Future Primary Programme and Building Schools for the Future Primary Pilot Proposal, and Expression of Interest in an Academy for Darlington.
- (ii) Reports to Cabinet on 11th July 2006, entitled Proposed Residents Parking Scheme – Stanhope Road Area, and Service 16 Mowden to Newton Lane.

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