
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, 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 decisions taken since the last ordinary meeting of Council held on 18th January, 2007.
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 this instance, the approval of Councillor Hughes, as the relevant Chair, was obtained, and these decisions are detailed below.

C119(2)	Increases to Taxi Licensing Fees and Charges	To allow the increase in the fees relating to the licensing of hackney carriages and private hire vehicles and operators to be included in the review of the Medium Term Financial Plan 2007/08 to 2010/11. (Cabinet Urgent Decision)
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C127	Secondary School Capital Investment	To maximise potential investment in Darlington's Secondary School stock. (Cabinet Urgent Decision and Special Urgency Rule)
C140(1)	Tees Valley Connexions Company – Disaggregation	To enable co-operation and co-ordination of actions across the five Tees Valley Authorities in order to achieve the outcome of a successful disaggregation of the Tees Valley Connexions Company. (Special Urgency Rule)
C147	Maidendale Nature and Fishing Reserve – Phase 1 Extension	To allow works to proceed within the existing English Nature License granted for works within 500 metres of a great crested newt site which is due to expire in March. (Cabinet Urgent Decision)

Outcome of Consultation

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

Council Policy Framework

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

Legal Implications

8. 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

9. 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

10. That the urgent decisions taken be noted.

Reason

11. To comply with this Council's Constitution.

Corporate Management Team

Background Papers

- (i) Report to Cabinet on 16th January 2007, entitled 'Secondary School Capital Investment'.
- (ii) Report to Cabinet on 16th January 2007, entitled 'Increases to Taxi Licensing Fees and Charges'.
- (iii) Report to Cabinet on 13th February 2007, entitled 'Disaggregation of the Tees Valley Connexions Company'.
- (iv) Report to Cabinet on 13th February 2007, entitled 'Maidendale Nature and Fishing Reserve Phase 1 Extension'.

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