

COUNCIL

13 OCTOBER 2016

SPECIAL URGENCY DECISIONS

Portfolio Holder: Councillor Alan Jarrett, Leader
Report from: Neil Davies, Chief Executive
Author: Perry Holmes, Monitoring Officer

Summary

This report details a decision taken by the Cabinet under the urgency provisions contained within the Constitution.

1. Budget and Policy Framework

1.1 The Council's Constitution provides for a report to be submitted to Council following decisions made by the Cabinet using special urgency provisions.

2. Background

2.1 Rule 17 (Special Urgency) of the Council's Access to Information Rules permits the Cabinet to make decisions when compliance with Rule 15 (The Forward Plan of Key Decisions) and Rule 16 (General Exception) is not possible.

2.2 On such occasions, a report to Council on the Cabinet decisions taken in the circumstances set out in Rule 17 (Special Urgency) will be submitted, in accordance with paragraph 18.3 of the Access to Information Rules.

2.3 A summary of the recent use of these provisions is set out in the following section.

3. Treasury Management Strategy Mid-Year Review Report 2016/2017

3.1 On 27 September 2016, the Cabinet considered the above report. A copy of the report is available via the Council's website (item 9 refers): <https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=115&MIId=3370&Ver=4>

3.2 This report provided the details of the mid-year review of the Treasury Management Strategy 2016/17, in accordance with the Chartered Institute of Public Finance Accountancy's (CIPFA) Code of Practice for

Treasury Management, which stated that there should be a review of the strategy at least half yearly.

- 3.3 This report had been added to the Cabinet agenda in accordance with the provisions of section 11 (cases of special urgency) of the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 and Rule 17 (Special Urgency) of the Council's Access to Information Rules, as set out in the Constitution. As such, the Chairman of the Business Support Overview and Scrutiny Committee had agreed that consideration of this report was urgent and could not be reasonably deferred to enable the Cabinet's views on the mid-year review to be submitted to Full Council on 13 October 2016. The next Cabinet meeting was due to take place on 25 October 2016, the consequence of which would have been to cause an unacceptable delay in submission of the mid-year review to Full Council (26 January 2017).
- 3.4 The Cabinet agreed to accept this report as an urgent item to enable its views to be submitted to Full Council on 13 October 2016.
- 3.5 The Cabinet noted the contents of the report and asked Council to note that Cabinet will be bringing forward proposals to the budget meeting in February to review the Council's risk appetite in relation to investments.
- 3.6 The Treasury Management Strategy Mid-Year Review Report 2016/2017 has been included elsewhere on this agenda and includes Cabinet's comments as set out above.

4. Financial, legal and risk implications

- 4.1 The requirement to report decisions taken under the various urgency provisions is set out within the Constitution. Details of the financial, legal and risk implications are set out in full within the relevant Cabinet report.

5. Recommendation

- 5.1 That the report be noted.

Lead officer contact

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Background papers

Treasury Management Strategy Mid-Year Review Report 2016/2017 – Cabinet 27 September 2016:

<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=115&MIId=3370&Ver=4>

(item 9 refers)

Appendices

None