

COUNCIL

25 JANUARY 2018

USE OF URGENCY PROVISIONS

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

Summary

This report provides details of recent usage of 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 the usage of urgency provisions contained within the Constitution.

2. Background

Cabinet – call-in and urgency

- 2.1 A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The record of the decision and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The chair (or in their absence the vice-chair) of the relevant Overview and Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.
- 2.2 Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

3. Final 2018-19 Mainstream Schools and Academies Funding Formula: Cabinet – 16 January 2018

- 3.1 On 16 January 2018, the Cabinet considered the above report (item 7 refers):
<https://democracy.medway.gov.uk/ieListDocuments.aspx?CId=115&MId=3701&Ver=4>

- 3.2 This report provided details of the proposals for the Final Funding Formula whilst and addendum report provided details of the recommendations from the Schools Forum for Cabinet's consideration.
- 3.3 As outlined in paragraph 2.1 above, call-in can be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the Public's interests. In this case, the deadline for the submission of the final funding formula to the Education and Skills Funding Agency was 19 January 2018. The Chairman of the Children and Young People Overview and Scrutiny Committee agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.
- 3.4 The Cabinet agreed to instruct officers to implement the Final 2018-19 Funding Formula for mainstream schools and academies, as set out in section 3 of the (Cabinet) report (decision no. 5/2018 refers).
- 3.5 The Cabinet also agreed that decision no. 5/2018 was considered urgent and therefore should not be subject to call in (decision no. 6/2018 refers).

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.

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Background papers

None

Appendices

None