

Leader using urgency powers

Monday, 22 June 2020

Date of publication: 22 June 2020

Claim Against the Council

Background:

This exempt report provided details of a proposal to settle a claim against the Council. The report stated that the claimant had issued High Court proceedings against the Council which was subject to strict timescales.

The report noted that the urgency provisions were set out in the Constitution (paragraph 3.2 of Part 3 (Responsibility for Cabinet functions) of Chapter 3 (Responsibility for Functions) of the Constitution).

The Chairman of the Business Support Overview and Scrutiny Committee agreed that the taking of these decisions were urgent and could not be reasonably deferred until the next Cabinet meeting on 7 July 2020, in accordance with 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 Access to Information Rules (Part 2 of Chapter 4 in the Constitution).

Additionally, and in line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in could 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. The Chairman of the Business Support 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.

Decision number: **Decision:**

72/2020 **The Leader, using urgency powers, agreed to authorise the Chief Legal Officer to make a payment pursuant to a part 36 offer, as set out in section 4 of the exempt report.**

Cabinet, 22 June 2020

73/2020 The Leader requested an update report from the Chief Legal Officer to Cabinet about the proceedings before any further steps are taken, beyond that set out in decision no. 72/2020.

74/2020 The Leader agreed that decisions 72/2020 and 73/2020 are considered urgent and therefore should not be subject to call in.

Reasons:

This will act to mitigate the Council's risk in this litigation.

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Leader of the Council

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Date

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