

COUNCIL

3 MARCH 2011

SPECIAL URGENCY DECISIONS

Portfolio Holder: Councillor Rodney Chambers, Leader

Report from: Neil Davies, Chief Executive

Author: Deborah Upton, Monitoring Officer

Summary

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

1. Budget and Policy Framework

1.1 The Constitution requires that these decisions are reported to Council.

2. Background

2.1 The Constitution allows for the call-in provisions to be waived where a decision is considered urgent, in that any delay caused by the call-in would seriously prejudice the Council's or public's interest. This requires the agreement of the Chairman of the relevant Overview and Scrutiny Committee and for the matter to be reported to the next available meeting of the Council, in accordance with rule 16.11 of chapter 4, part 5 of the Constitution (overview and scrutiny rules).

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

3 Proposed Staffing Reductions

3.1 The Cabinet, on 27 January 2011, considered a report which sought authorisation to commence formal consultation with staff and trade unions on a number of proposed staffing reductions as a result of the Council's reduction in funding. A copy of this report is available via the Council's website:

<http://democracy.medway.gov.uk/mgConvert2PDF.aspx?ID=6874>

3.2 In addition, a report was tabled at the meeting and is available via the Council's website:

<http://democracy.medway.gov.uk/mgConvert2PDF.aspx?ID=6933>

3.3 The Cabinet authorised the Chief Executive and Directors to undertake consultation with staff and trade unions on the proposals set out in the main report and addendum report (decision no. 7/2011).

- 3.4 The Cabinet considered that the decision set out above was urgent and should therefore not be subject to call-in. It was considered essential that the consultation process commenced at the beginning of February. This would ensure that the consultation process could end in early March to enable the consideration and determination of the outcome of consultations. This would enable the Council to maximise the level of savings for the following financial year.
- 3.5 It was noted that the Chairman of the Business Support Overview and Scrutiny Committee had agreed to waive call-in on this report (and addendum report) on the basis that this matter was reasonable in all the circumstances and to it being treated as a matter of urgency (in accordance with rule 16.11 of Chapter 4, Part 5 of the Constitution). The Business Support Overview and Scrutiny Committee was notified, via email and letter, when agreement to use these provisions was given on 19 January 2011, for the main report, and on 27 January 2011, via email, with regards to the addendum report.

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