

Committee: Council

Date: 18 November 2020

Wards: All

Subject: The Use of Special Urgency for a Key Decision

Lead officer: Louise Round, Managing Director South London Legal Partnership

Lead member: Leader of the Council

Contact officer: Louise Fleming, Democracy Services Manager

Recommendations:

A. That Council note the taking of urgent key decisions on 17 April and 5 June 2020.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1. This report appries Council of the taking of an urgent key decision in *accordance with the provisions of Part 4 E, Section 17 of the Council's Constitution.*

2 DETAILS

2.1. *The Constitution makes provision for the taking of an urgent decision i.e.*

Paragraph (c) of Section 17 requires that "Decisions taken as a matter of urgency must be reported to the next available meeting of the Council together with the reason for urgency".

2.2. In accordance with paragraph 17(b) of the constitution the following key decisions were brought to the attention of the Chair of Overview and Scrutiny Commission to seek his authority to take the decision under the Special Urgency Procedure, under Paragraph 15 of Part 4B of the Council's Constitution:

- Council Tax Hardship Fund
- Local Authority Discretionary Grants

2.3. The use of the procedure also exempted the decisions from call-in. The Chair of the Overview and Scrutiny Commission agreed with officers that the latter decision would still be subject to call in.

3 ALTERNATIVE OPTIONS

3.1. None for the purpose of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

4.1. None for the purpose of this report.

5 TIMETABLE

5.1. None for the purpose of this report

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

6.1. None for the purpose of this report.

7 LEGAL AND STATUTORY IMPLICATIONS

7.1. None for the purpose of this report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

8.1. None for the purpose of this report.

9 CRIME AND DISORDER IMPLICATIONS

9.1. None for the purpose of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

10.1. None for the purpose of this report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix A - Notice of Decision (Council Tax Hardship Fund)

Appendix B – Notice of Decision (Local Authority Discretionary Grants)

12 BACKGROUND PAPERS

12.1. None.

CORPORATE SERVICES DEPARTMENT

Caroline Holland - Director



Notice is hereby given that a key decision will be taken by the Director of Corporate Services and the Chief Executive by 17 April 2020

Council Tax Hardship Fund

When a matter is a key decision and has not been advertised 28 days prior to the date that the decision is required to be taken, and it has also not been possible to give five clear days notice, then the decision can still be taken under delegation if the provisions of Rule 15 (Special Urgency) of the Access to Information Procedure Rules Part 4B of the Constitution can be applied, once agreement, has been obtained by Chair of the Overview and Scrutiny Commission, that the decision cannot reasonably be deferred

Councillor Southgate in his capacity as Chair of the Overview and Scrutiny Commission, has approved the use of Section 15 - Special Urgency, procedures for this decision, and acknowledged that the use of the procedure exempts the decision from call-in.

The reason for urgency is the that the Council needs to process this benefit to some of the Borough's citizens who are most in need to avoid unnecessary hardship and stress at this critical time during the Coronavirus pandemic.

democratic.services@merton.gov.uk

15 April 2020

CORPORATE SERVICES DEPARTMENT

Caroline Holland - Director



Notice is hereby given that a key decision will be taken by the Director of Corporate Services on 5 June 2020

Local Authority Discretionary Grant Fund Policy

When a matter is a key decision and has not been advertised 28 days prior to the date that the decision is required to be taken, and it has also not been possible to give five clear days notice, then the decision can still be taken under delegation if the provisions of Rule 15 (Special Urgency) of the Access to Information Procedure Rules Part 4B of the Constitution can be applied, once agreement, has been obtained by Chair of the Overview and Scrutiny Commission, that the decision cannot reasonably be deferred

Councillor Southgate in his capacity as Chair of the Overview and Scrutiny Commission, has approved the use of Section 15 - Special Urgency, procedures for this decision.

The reason for the special urgency is that the government has provided Merton with just over £1.3 million in funding to award to businesses, organisations and charities to support them with property costs and loss on income. The government expects authorities to commence payments in early June. Some authorities are already inviting applications. If the decision is taken on 5 June, this will enable the council to open up applications on Wednesday 10 June, subject to no call in requests being received. It would speed up the process for receiving applications and making awards to businesses and organisations that need this support.

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3 June 2020