

COUNCIL

22 JANUARY 2019

REPORT OF LEADER OF THE COUNCIL

A.3 EXECUTIVE DECISIONS TAKEN AS A MATTER OF URGENCY

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To notify Members of recent Executive Decision(s) taken in the circumstances set out in the Council's Constitution in:-

- (a) Rule 15 of the Access to Information Procedure Rules (Special Urgency); and/or
- (b) Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency).

EXECUTIVE SUMMARY

In accordance with the requirements of Rule 16.2 of the Access to Information Procedure Rules and Rule 18(i) of the Overview and Scrutiny Procedure Rules, this report notifies Members of recent Executive Decision(s) taken in the circumstances set out in Rule 15 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules.

RECOMMENDATION

That the contents of the report be noted.

PART 2 – SUPPORTING INFORMATION

BACKGROUND

The "Special Urgency" procedure in Rule 15 of the Access to Information Procedure Rules provides that where a key decision cannot be reasonably deferred to allow the procedure in Rule 14 (General Exception) of those procedure rules to be followed, it may still be taken with the agreement of the Chairman of the relevant overview and scrutiny committee, or failing him/her, the Chairman or Vice-Chairman of the Council.

Rule 18(i) of the Overview and Scrutiny Procedure Rules provides that the "call-in" procedure will not apply to a decision if the Chairman, or failing him/her the Vice-Chairman, of the relevant overview and scrutiny committee agrees both that the decision is reasonable in all its circumstances and that any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

DECISIONS TAKEN AS A MATTER OF URGENCY

- (1) **Appointment of Gipping Construction Limited to carry out extension work at Barnes House as part of the Office Transformation project**

On 30 November 2018, in view of the urgency of the issue concerned and in accordance with Rule 18(i) of the Overview and Scrutiny Procedure Rules, the Head of Property

Services (Andy White) sought and subsequently obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's (Councillor Stephenson) consent that the Head of Building and Engineering Services' (Damian Williams) decision relating to the appointment of Gipping Construction Limited to carry out extension work at Barnes House as part of the Office Transformation project be taken using the 'special urgency procedure.

The Head of Building and Engineering Services' decision was as follows:

"Following a competitive tendering exercise, to award the contract to the lowest returned tender submitted by Gipping Construction."

It was felt that any delay likely to be caused by the usual forthcoming key decision process would have seriously prejudiced the Council's and the public's interest for the following reasons:-

"It would have delayed the start of the project until mid-January which would have had a knock-on effect of a month long delay throughout the whole programme of works."

BACKGROUND PAPERS

(1) Appointment of Gipping Construction Limited to carry out extension work at Barnes House as part of the Office Transformation project

Letter dated 30 November 2018 from the Head of Property Services to the Chairman of the Resources and Services Overview and Scrutiny Committee.

Reply dated 30 November 2018 from the Chairman of the Resources and Services Overview and Scrutiny Committee signifying consent to allow the decision to be taken under the 'Special Urgency' procedure.

Officer Decision by Head of Building and Engineering Services.

APPENDICES

None.