

Meeting:	Council
Date:	19 October 2006
Subject:	Decisions taken under Urgency Procedure by Portfolio Holders/Leader and Cabinet and Use of Special Urgency Procedure
Key Decision: (Executive-side only)	No
Responsible Officer:	Kevin Unwin, Democratic Services Officer, 020 8424 1265 <a href="mailto:Kevin.unwin@harrow.gov.uk">Kevin.unwin@harrow.gov.uk</a>
Portfolio Holder:	Strategic Overview and External Affairs
Exempt:	No
Enclosures:	Appendix A – Record of Decisions taken under Urgency Procedure

## SECTION 1 – SUMMARY AND RECOMMENDATIONS

This report sets out decisions taken under urgency procedure rules by Portfolio Holders/the Leader and Cabinet, and of uses of the special urgency procedure.

### **RECOMMENDATIONS:**

1.1 The Council is requested to note the urgent decisions taken by the Leader and Portfolio Holders, as set out at Appendix A to the report.

**REASON:** These decisions were regarded as urgent for the reasons set out in Appendix A of this report.

1.2 That the use of the urgency procedure in relation to reports to Cabinet since the 13 July 2006 Council meeting be noted.

**REASON:** In accordance with paragraph 23.6 of the Overview and Scrutiny Procedure Rules, decisions taken as a matter of urgency must be reported to the next available meeting of the Council together with the reasons for urgency.

## **SECTION 2 - REPORT**

In accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of the Council's Constitution, any Executive decisions taken as a matter of urgency are to be reported to the next available meeting of the Council.

This report sets out the details of those decisions taken as a matter of urgency since the Council meeting held on 13 July 2006.

The Special Urgency procedure has not been used in relation to any Executive decisions since the Council meeting held on 13 July 2006.

### Options considered

As per the individual reports to the Leader, Portfolio Holder and Cabinet.

### Consultation

Where appropriate, Ward Councillors, outside organisations and interested parties were consulted on individual reports considered by the Leader and reports to Cabinet.

Where decisions were deemed to be urgent, the agreement of the Chair of the Overview and Scrutiny Committee or, in her absence, the Mayor was obtained that the decision would not be subject to the call-in procedure.

### Financial Implications

As per the individual reports to the Leader, Portfolio Holder and Cabinet.

### Legal Implications

As per the individual reports to the Leader, Portfolio Holder and Cabinet.

### Equalities Impact

As per the individual reports to the Leader, Portfolio Holder and Cabinet.

### Section 17 Crime and Disorder Act 1998 considerations

As per the individual reports to the Leader, Portfolio Holder and Cabinet

### SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Finance Officer	<input type="checkbox"/> Name:.....
	Date: .....
Monitoring Officer	<input type="checkbox"/> Name: .....
	Date: .....

### SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

#### Appendix A

The officer reports considered by the Portfolio Holder / Leader in respect of the items listed below are exempt from inspection by the public on the grounds that they contain confidential information under the specified paragraph of Part I of Schedule 12 to the Local Government Act 1972 (as amended).

	Paragraph
A v LBH (PHD 020/06)	Exempt -The officer report is exempt by virtue of Paragraph 5 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) in that the report contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
An v LBH (PHD 022/06)	Exempt - The officer report is exempt by virtue of Paragraph 5 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) in that the report contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
P v LBH (PHD 023/06)	Exempt - The officer report is exempt by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Award of Contract for Integrated Printing Services Partner (PHD 025/06)	Exempt - The officer report is exempt by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).
141A Canterbury Road, North Harrow (PHD 026/06)	Exempt –The officer report is exempt from publication under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).
Staffing (PHD 027/06)	Exempt - The officer report is exempt by virtue of Paragraph 1 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) in that it contains information relating to an individual

**Contact:** Kevin Unwin, Democratic Services Officer, on 020 8424 1265. The Council’s Constitution, as well as all public reports and decision notices are available through the ‘Council and Democracy’ Page at [www.harrow.gov.uk](http://www.harrow.gov.uk)

**IF APPROPRIATE, does the report include the following considerations?**

1.	Consultation	YES
2.	Corporate Priorities	NO
3.	Manifesto Pledge Reference Number	N/A

## APPENDIX A

### Urgent Decisions

The following urgent decisions have been taken since Council on 31 May 2006: -

<b>Subject</b>	<b>Decision Maker (Portfolio Holder/Leader)</b>	<b>Reason for Urgency</b>
CMT – Setting fees for licensing houses in multiple occupation (PHD 006/06)	Deputy Leader (in the absence of the Leader)	To set the fee, as required by legislation, to enable the Council to meet its statutory duty to licence HMO. The Housing Act 2004 allowed the Council to set fees to meet the full costs associated with the issuing of a licence in respect of a HMO. The fee structure agreed reflected the actual costs of administering the licensing scheme.
A v LBH (PHD 020/06)	Leader	To avoid the risk of the application for permission to seek a judicial review being granted and/or further orders being made for interim relief against the Council.
An v LBH (PHD 022/06)	Leader	The Claimant brought a claim for judicial review against the Council in the High Court. If the Council did not take urgent steps to set aside the interim order, it would have had to continue housing the Claimant at a cost and detriment to management of the Council's housing. If the Council had not made its position known urgently, it ran the risk of that application being granted and/or of further orders being made for interim relief.
P v LBH (PHD 023/06)	Leader	To avoid the risk of the application to seek a judicial review of a decision of the Council and/or further orders

		being made for interim relief against the Council.
Award of Contract for Integrated Printing Services Partner (PHD 025/06)	Leader	In order to allow the ten-day statutory period between notifying bidders of the proposed award and entering into a contract. The contract was scheduled to commence from 1 October 2006.
141A Canterbury Road, North Harrow (PHD 026/06)	Leader	To immediately enter into a lease for access during the validity of the current option agreement. Failure to do so would have resulted in a delay in obtaining a capital receipt.
Staffing (PHD 027/06)	Leader	Delay would have prejudiced the Authority's legal position.
Kenton Learning Centre (Adult Learning Centre)	Cabinet – 3 August 2006	Demolition and asbestos removal had to be carried out during the 2006 Summer holidays if the project timetable was to be achieved and the conditions of the Learning and Skills Council met.