



City of Westminster

Annual Council Report

Date:	17 May 2023
Classification:	For General Release
Title:	Key Decisions: Use of Special Urgency Procedure 2022/23
Report of:	Leader of the Council
Wards Involved:	Not applicable
Policy Context:	Management of the Council
Financial Summary:	None
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1. Summary

The Access to Information Procedural Rules (Article 33.18 (3) of the Council's Constitution) require that, at least once a year the Leader will submit a report detailing all Key Decisions taken under Special Urgency provisions in the preceding year.

This report details a single instance where Special Urgency provisions were used during the 2022/23 municipal year.

2. Recommendations

That Full Council note the Key Decision taken under Special Urgency in 2022/23 as set out at Section 4 of the report.

3. Background, including Policy Context

- 3.1** The City Council's Constitution sets out, under Article 33.12, that 28 days' notice must be given where the Cabinet, a Cabinet Committee, an individual Cabinet Member or Officer intends to make a Key Decision.
- 3.2** Where the provision of such notice is impracticable the Constitution provides both General Exception and Special Urgency provisions. The General Exception provisions require, amongst other things, a period of five clear working days' notice to be given. Where compliance with the General Exception principle is impractical the decision can be taken under Special Urgency provisions.
- 3.3** Cases of Special Urgency can only proceed where the decision maker has obtained agreement that the making of the decision is urgent and cannot reasonably be delayed from:
 - (a) the Chairman of the relevant Policy and Scrutiny Committee; or
 - (b) if there is no such person, or if they are unable to act, the Lord Mayor.

4. Details of decisions taken under Special Urgency provisions

- 4.1 During the municipal year, 2022/23, the provision of Special Urgency was used once to facilitate an urgent decision. Further detail on this decision is set out below.

Decision Title	Decision Maker	Reason for Special Urgency	Notice of proposed decision first published:	Date Decision Notice Published
Direct Award of Travel Care contracts for Children and Adults	Cabinet Member for Young People, Learning and Leisure Cabinet Member for Adult Social Care, Public Health and Voluntary Sector	Unforeseen provider withdrawal and the need to maintain service continuity for this statutory service.	3 rd August 2022	12 th August 2022 Statement of Decision

- 4.2 In the single case of Special Urgency provision being used in 2022/23 as detailed in this report, the approval of the Chair of the relevant Policy and Scrutiny Committee was given. This approval was given by Councillor Angela Piddock, Chair of the Children, Adults, Public Health and Voluntary Sector Policy and Scrutiny Committee agreed to the use of Special Urgency provisions on 11 August 2022.
- 4.3 In accordance with statutory and Constitutional requirements, following the approval of the Chair of Policy and Scrutiny Committee two notices were published. The first detailing that the decision would be taken under special urgency and the second stating the decision had been made and including the report upon which the decision was based.

5. Legal Implications

- 5.1 The relevant rules of the City Council's Constitution setting out the need to report on the use of Special Urgency Procedures regarding Key Decisions during the preceding year have already been outlined in the earlier body of this report. The recommendation set out in this report is in line with these provisions.

6. Financial Implications

- 6.1** There are no direct financial consequences of this report. The decision reported above as having been taken under the Special Urgency procedure was supported by a report that set out the financial implications of that decision and was subject to financial review as part of the decision-making process.

7. Equalities Implications

- 7.1** There are no direct equalities implications of this report. The decision reported above as having been taken under the Special Urgency procedure was supported by a report that set out the equalities implications of that decision.

If you have any queries about this Report or wish to inspect any of the Background Papers, please contact:

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BACKGROUND PAPERS

- **Key Decision Report and Statement of Decision - *DIRECT AWARD OF TRAVEL CARE CONTRACTS FOR CHILDREN AND ADULTS***