



City of Westminster

Annual Council Report

Meeting or Decision Maker:	Full Council
Date:	15 May 2024
Classification:	For General Release
Title:	Key Decisions: Use of Special Urgency Procedures 2023-24
Report of:	Executive Director of Corporate Services and Monitoring Officer
Wards Affected:	All
Policy Context:	Fairer Council
Financial Summary:	None
Report Author and Contact Details:	Richard Cressey, Head of Governance and Councillor Liaison Email: rcressey@westminster.gov.uk

1. Executive Summary

- 1.1. The Access to Information Procedural Rules, Article 1.18 (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.
- 1.2. This report details a single instance where Special Urgency provisions were used during the 2023/24 municipal year.

2. Recommendations

- 2.1. That Full Council note the single Key Decision taken under Special Urgency in 2023/24 as detailed in Section 4 of this report.

3. Background, including Policy Context

- 3.1. The City Council's Constitution sets out, under Article 1.12, 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 under 1.14 (1) 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.

Under 1.14 (2) As soon as reasonably practicable after the decision maker has obtained agreement under (1) above the Chief Executive must make available at City Hall, or on the website, a notice setting out the reasons that the decision is urgent and cannot reasonably be deferred.

4. Details of Decision Taken Under Special Urgency

- 4.1. During the municipal year 2023/24, 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
CCS Energy Purchase Agreement for 2024 - 25 Supply Period	Cabinet Member for Finance and Council Reform	Requirement for the Council to commit to the purchase window by 15 September 2023, and not doing so would have left the Council liable to increased costs.	15 September 2023	15 September 2023 Statement of Decision

4.2. In the single case of Special Urgency provision being used in 2023/24 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 Paul Fisher, Chair of the Finance, Planning and Economic Development Policy and Scrutiny Committee agreed to the use of Special Urgency provisions on 15 September 2023.

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. Financial Implications

5.1. 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.

6. Legal and Governance Implications

6.1. 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.

7. Climate Impact

7.1. There are no direct climate 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 climate implications of that particular decision.

8. Equalities Implications

- 8.1. 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.

9. Consultation

- 9.1. No consultation was required for this report.

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

Richard Cressey, Head of Governance and Councillor Liaison

Email: rcressey@westminster.gov.uk

APPROVED BY

Name and Title	Date sent	Date approved
Parveen Akhtar, Executive Director of Corporate Services	25 April 2024	25 April 2024
David Cookson, Finance	22 April 2024	23 April 2024
Jane Reynolds, Legal	22 April 2024	23 April 2024

BACKGROUND PAPERS

[Key Decision Report and Statement of Decision - CCS Energy Purchase Agreement for 2024 - 25 Supply Period](#)