

# Full Council

14 November 2017



**Report of:** Shahzia Daya, Service Director – Legal & Democratic Services

**Title:** **Information report – Decisions taken under special urgency provisions**

**Ward:** Citywide

## RECOMMENDATION

Full Council is asked to note the use of special urgency provisions (APR 16) in relation to decisions that have been taken by Cabinet in respect of :

- Local Growth Fund Bid – 7 March 2017 Cabinet
- Dunmail Housing Scheme – 16 May 2017 Cabinet
- Parkview offices lease change – 26 June 2017 Cabinet
- Leasing out of offices at 100 Temple Street for Department of Work & Pension (DWP) – 19 September Cabinet
- Street Lighting Contract extension – 19 September Cabinet



## Background / information

1. Statute and the Council's constitution provide that notification of decisions that are intended to be taken by the Executive must be published 28 days before the decision is taken, and that the papers in relation to that decision must be published not less than 5 working days before the decision to be taken
2. There are however exceptions in law and the constitution to these timescales so that shorter notice can be given in certain circumstances.
3. The constitution provides (**Access to Information rules APR15**), that if a matter which is likely to be a key decision has not been included in the forward plan ( to give 28 days' notice), the decision may still be taken if:
  - (a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;
  - (b) the proper officer has given notice to the chair and members of a relevant overview and scrutiny committee in writing, of the matter to which the decision is to be made;
  - (c) the proper officer has made copies of that notice available to the public at the offices of the council; and
  - (d) at least five clear working days have elapsed since the proper officer complied with (a) and (b).
4. If an urgent decision needs to be taken and 5 clear working days cannot be given as set out in APR 15 above, APR 16 provides that in cases of special urgency a decision may still be taken if the decision taker obtains the agreement of the chair of a relevant overview and scrutiny committee that the taking of the decision cannot be reasonably deferred.
5. The constitution also requires that cases where special urgency provisions have been required will be reported to the Full Council for information.
6. This report informs Full Council of the following decisions taken under special urgency provisions:

### **Local Growth Fund Bid – 7 March 2017 Cabinet**

Approval for Bristol City Council to submit a bid to the Local Enterprise Partnership's 'Local Growth Fund' for £2.6m (2017-2018) on behalf of the West of England Authorities, to provide continued funding to implement sustainable travel projects. Bristol's share of this bid is for £1.07m.

### **Dunmail Housing Scheme – 16 May 2017 Cabinet**

1. Agreed that the Council provides a rental guarantee, not exceeding £500k over the life of the lease, to secure investment to develop 40 Private Rent Sector homes as set out in Appendix A of the report.

2. Agreed that the Council seeks a share in any financial or equivalent returns, where these are achieved, and delegates to the Strategic Director Place and the Service Director Finance to agree the terms of an arrangement.

**Parkview offices lease change – 26 June 2017 Cabinet**

1. Agreed to the surrender of the Council's current sub-lease of office accommodation at Parkview Office Campus and re-grant of a new lease capable of early termination by the Council.
2. The Strategic Director – Resources be authorised to approve the terms of the surrender and re-grant subject to briefing the Cabinet Member for Property.
3. The Strategic Director – Resources be authorised to approve arrangements for relocation of all staff currently working from Parkview to other office locations of the Council and clearance of the leased areas at Parkview.

**Leasing out of offices at 100 Temple Street for Department of Work & Pension (DWP) – 19 September Cabinet**

Approved the additional spend on the works to accommodate the occupation of the ground and first floor Temple Street.

**Street Lighting Contract extension – 19 September Cabinet**

1. Approved the extension of existing contract to July 2018.
  2. Approved procurement of a new Street Lighting Maintenance and Installation Contract for three years (July 2018 – July 2021).
  3. Agreed to support the development of the street lighting asset register to enable procurement of a performance 'Output' contract in 2021.
  4. Approved delegated authority to the Strategic Director, Neighbourhoods to determine the procurement approach and in consultation with the Portfolio holder and S151 Officer, to award the contract and to conclude all necessary documentation to give effect to the above.
- 
7. This report is presented for Full Council's information, as required by the constitution.