

To: Council
Date: 27 November 2023
Report of: Head of Law and Governance on behalf of the Head of Paid Service (Chief Executive)
Title of Report: Decisions taken under Part 9.3(b) of the Constitution

Summary and recommendations	
Purpose of report:	Council is asked to note the decisions taken by the Head of Paid Service (Chief Executive) using the powers delegated in Part 9.3(b) of the Constitution.
Recommendation(s): Council is recommended to:	
1. Note the decisions taken as set out in the report.	

Appendices
None

Introduction and background

1. This report updates Council on decisions taken by the Head of Paid Service (Chief Executive) using the urgency powers delegated to the Chief Executive in Part 9.3(b) of the Council's Constitution.
2. Where urgency powers are used the Constitution requires the Head of Paid Service to report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.

9.3 Role of Head of Paid Service

...

(b) The Head of Paid Service is authorised to take any urgent action necessary to protect the Council's interests and assets where time is of the essence and it is impracticable to secure authority to act where such authority would otherwise be required.

The Head of Paid Service, in so acting, will be guided by budget and the policy framework, will consult the other Statutory Officers before acting and will report, in writing, as soon as practicable to the body which would otherwise have been required to give the necessary authority to act.

Decisions taken using urgency and emergency powers

3. The following decisions have been taken using urgency powers for which Council would otherwise have been required to give the necessary authority to act. Council is responsible for agreeing or changing revenue and capital budgets and for setting housing rents. Council is asked to note these decisions.

ITEM 1	CONTINUATION OF REDUCED PRICING FOR PARK & RIDE PARKING AND-BUS TICKETS FOR THE PERIOD FROM 30 SEPTEMBER 2023 UNTIL THE CLOSE OF THE FULL COUNCIL MEETING ON 2 OCTOBER 2023
Decision: To continue the combined ticket for Park and Ride (parking-and-bus ticket) from 30 September 2023 until the close of the meeting of full Council on 2 October 2023.	
Date decision made:	26 September 2023
Decision taker	Caroline Green, Head of Paid Service (Chief Executive) Decision taken in consultation with Cllr Louise Upton, Cabinet Member for Planning and Healthier Communities, Cllr Ed Turner, Deputy Leader and Cabinet Member for Finance and Asset Management, Nigel Kennedy, Head of Financial Services and Emma Jackman, Head of Law and Governance. The Chair of Scrutiny agreed to the taking of an urgent key decision which had not been notified on the Council's Forward Plan.
Was the decision taken under emergency or urgency rules?	Urgency – Constitution Part 9.3(b)
Is this a Key Decision?	No – Non-Key
Reasons for decision	On 13 July 2022 , Cabinet agreed to make permanent the combined ticket approach including 16 hours parking rather than 11 hours, plus a trial up to 30 September 2023 in terms of pricing. The promotion price was <ul style="list-style-type: none"> • £4 for 1 bus passenger and 1 car; and • £5 for 2 bus passengers and 1 car until 30 Sept 2023. On 13 September 2023 Cabinet recommended to Council (which meets on 2 October 2023), to agree the continued use of the combined ticket at the current price: <ul style="list-style-type: none"> • £4.50 1 bus passenger and 1 car; and

	<ul style="list-style-type: none"> £5.50 for 2 bus passengers and 1 car until April 2024. <p>The decision to offer combined tickets expires on 30 September 2023 which is prior to the full council meeting. Unless the present decision is taken, there is no authority for the use of the combined ticket in the intervening period.</p> <p>This decision ensures the Park and Ride combined ticket charges are valid at current rates between the 30 September and the 2 October full council meeting.</p>
Alternative options considered:	The Chief Executive could not take this decision; however, this would mean the Council would not have the legal power to charge for the combined tickets until the October full Council.
Wards significantly affected	None
Declared conflict of interest:	None

Financial issues

- There are no financial issues arising beyond those set out in the documents attached to the published decisions.

Legal issues

- The urgency powers of the Head of Paid Service (Chief Executive) are set out in the Constitution.

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Background Papers: None

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