

To: Council
Date: 25 November 2024
Report of: Head of Law and Governance
Title of Report: Urgent Key Decisions

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| Summary and recommendations | |
| Purpose of report: | To update Council on key decisions taken in cases of special urgency since 17 July 2023. |
| Lead Member: | Councillor Susan Brown, Leader of the Council |
| Recommendation(s): Council is recommended to: | |
| 1. Note the urgent key decisions taken in cases of special urgency as set out in the report. | |

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| Appendices |
| None |

Introduction and background

1. The Leader of the Council is required by regulations to report to Council at least annually on executive decisions taken under special urgency procedures. Special urgency rules apply to key decisions that have not been notified on the Forward Plan for at least 5 clear days. Such decisions can only be taken where the Chair of the Scrutiny Committee (or if there is no chair the Lord Mayor) agrees that the making of the decision is urgent and cannot reasonably be deferred. This report updates Council on executive decisions taken in cases of special urgency since 17 July 2023.

Decisions taken in cases of special urgency

2. The following executive decisions were taken in cases of special urgency during the period since the previous report to Council on 17 July 2023.

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| ITEM 1 | Approval of the Council into a JCT with Serco Operations Limited to deliver works required on the Leisure Portfolio. |
| | <ul style="list-style-type: none"> • Approve entering into the JCT contract with Serco Operations Limited to enable the works to be delivered as required under the Leisure Operator Contract, the JCT is attached as Exempt Appendix 1 – form of JCT Contract • Approve the spend of £1,373,308 under the JCT contract. |
| Date of decision: | 30 October 2024 |
| Decision taker | Councillor Chewe Munkonge, Cabinet Member for a Health Oxford |
| Was the decision taken under emergency or urgency rules? | <p>Constitution 15.17</p> <p><i>If a key decision has not been included in the Forward Plan for 28 days, it can still be taken in exceptional circumstances if it is not practicable to put it in the plan and wait 28 days before the decision is taken.</i></p> <p><i>Before taking a key decision that has not been included in the Forward Plan, the Head of Law and Governance must write to the Chair of the Scrutiny Committee (or each member of the committee if there is no chair) and make copies of the letter available to the public at the Council's offices and publish it on the Council's website.</i></p> <p><i>The decision cannot normally be taken until five clear working days after the chair is told.</i></p> <p><i>Where it is not reasonable or practicable to wait until five clear working days have elapsed to take the decision, the Head of Law and Governance must write to the Chair of the Scrutiny Committee (or the Lord Mayor where there is no chair) to obtain agreement that the making of the decision is urgent and cannot reasonably be deferred. As soon as possible after the authority to take the urgent key decision has been obtained the Head of Law and Governance shall make available to the public at the Council's offices and publish on the Council's website a notice saying why 28 days' notice has not been given.</i></p> <p><i>At least once a year the Leader must report to the Council on the number and nature of key decisions taken under 15.17 (Urgent key decisions).</i></p> |
| Reasons for decision | <p>During the contract process for the new Leisure Operator Contract the Council included the provision for the Council to require the Leisure Operator to undertake dilapidation works that the Council would fund. This requires the parties to enter into a JCT contract but this was not appended to in the contract and decision arrangements. As such there is a need to contract under the JCT to enable the works and the payment for the works. Entering this JCT is required to allow the Council and the Leisure Operator to fulfil their</p> |

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| | obligations under the Leisure Operator Contract. |
| Alternative options considered: | None |
| Wards significantly affected | None |

Financial issues

3. There are no financial issues arising directly from this report.

Legal issues

4. Regulation 19 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires that the executive Leader submits a report to the authority at least annually on executive decisions taken in cases of special urgency (Regulation 11), including the particulars of each decision.

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Background Papers: None

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