

Allerdale Borough Council

Council – 19 May 2021

Governance Updates

Portfolio holder	Councillor M Fitzgerald, Portfolio Holder for Policy, Governance and People Resources
Report from	Sharon Sewell, Chief Officer Place & Governance, Monitoring Officer
Wards affected	All wards
Is this a key decision	No

1.0 The reason for the decision

- 1.1 To report on delegated decisions taken during the Covid-19 pandemic since the last report to Council on 3 March 2021.

2.0 Recommendations

- 2.1 To note a summary of all CEO Urgent Action decisions and Special Urgency Executive decisions as detailed in section 4.0 of the report.

3.0 Background and Introduction

- 3.1 Section 4.35.4 of the Constitution gives the Chief Executive the power to exercise functions of the Council in very urgent circumstances, following consultation with the Mayor and the Leader of the Council. Those decisions must be reported to the next meeting of the Council.
- 3.2 Section 11.16 of the Council's Constitution provides that where an Executive decision is sufficiently urgent it may be taken immediately under Special Urgency powers; this means in effect that there is no requirement for the decision to have been included on the Council's forward plan for the requisite 28 days, or for the call-in procedure to apply. Where these powers are invoked, the approval of the Chair of Overview and Scrutiny Committee is required before the decision can be taken.

3.3 Section 11.17.3 of the Constitution requires quarterly reports to be made by the Leader to the Council on those Executive decisions taken in the circumstances set out above.

4.0 Content

Delegated Decisions

4.1 Between 3 March and 11 May 2021, the date of publication of this report, the following decision was taken under the Chief Executives Urgent Action powers:

1 - COVID-19 NHS Test and Track Self- Isolation Payments Revised

Date: 8 April 2021

Reason for urgency: As part of the measures of assistance in relation to COVID 19, the Government has now announced additional support to parents and guardians of children or young people asked to self-isolate by the NHS test and trace scheme or an educational or childcare provider and extended the whole scheme to 30 June 2021. Cumbria county council has also provided additional monies to help provide support for more low-income households than funds currently allow.

The government have asked us to make payments available as quickly as possible to assist in reducing the spread of Covid19. In order to make payments, the government will provide a grant to local authorities.

As is the case in all local authorities, Allerdale Borough Council needs to amend its existing discretionary policy to reflect the changes requested by government and to agree the new policy under emergency delegations. The government are asking for payments to commence on or as soon as possible from 7 April 2021.

4.2 Between 3 March and 11 May 2021, the date of publication of this report, the following decisions were taken under the Special Urgency provisions:

1 – Acquisition of Christchurch Maryport

Decision Maker: Chief Executive Officer

Date: 11 March 2021

Reason for urgency: To approve the acquisition of Christchurch, Maryport in accordance with the option agreement, which expired on 14 March 2021.

2 – Heads of Terms offer for the Workington Town Deal

Decision Maker: Councillor M Johnson, Leader of the Council

Date: 22 March 2021

Reason for urgency: The funding offer from Government in relation to the proposed Town Deal for Workington received on 3 March 2021 as part of the budget

announcement required the Heads of Terms to be signed on behalf of the Council and returned to MHCLG by 24 March 2021.

The proposed Head of Terms are intended to act as a Memorandum of Understanding for the future development and delivery of Workington's Towns Investment Plan and project proposals and sets out requirements for next steps.

The Head of Terms do not constitute a contractually binding document and the funding offer is subject to a number of conditions being met.

The funding offer is for a maximum of £23.1million and within this maximum amount Workington is invited to bring forward projects from those identified in the Heads of Terms.

5.0 Delivery arrangements

5.1 Not applicable to this report.

6.0 Implications and Impact

6.1 Contribution to Council Strategy Priorities, Outputs and Outcomes

6.2 Finance/Resource implications

Not applicable to this report.

6.3 Legal and governance implications

Section 4.35.4 of the Councils Constitution gives the Chief Executive the power to exercise functions of the Council in very urgent circumstances, following consultation with the Mayor and the Leader of the Council. Those decisions must be reported to the next meeting of the Council.

Section 11.16 of the Council's Constitution provides that where an Executive decision is sufficiently urgent it may be taken immediately under Special Urgency powers.

6.4 Risk analysis

A scored and mitigated risk log

Risk	Consequence	Controls required	Mitigated score
Decision making arrangements not effectively monitored and reported	Lack of transparency. Breach of Constitutional procedures	Regular reporting to Council	1

6.5 Increasing satisfaction and service

Not applicable to this report.

6.6 Equality impacts

Equality impacts have been considered.

6.7 Health and Safety impacts

There are no health and safety implications directly associated with this report.

6.8 Health, wellbeing and community safety impacts

There are no health, wellbeing and community safety implications directly associated with this report.

6.9 Environmental/sustainability impacts

There are no environmental/sustainability implications directly associated with this report.

6.10 Other significant implications

None

Appendices attached to this report

Appendix number	Title of appendix
N/A	

Background documents available

Name of background document	Where it is available
N/A	

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