

## Cabinet and the Special Urgency Procedure.

### Use of the Special Urgency Procedure

A Motion of Notice has been received from Councillors L Stephenson, S Harvey, R Powell and K Payne under Procedure Rule 131.

The Cabinet intends to consider a Key Decision at its meeting on 14<sup>th</sup> February 2023 that will not have been publicised for 28 clear days in advance of it being made, in accordance with the requirements of Regulation 9 of *The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012*.

### The Key Decision in question is:

*Catmose Sports Leisure Contract*

Cabinet are being recommended to:

*Reconsider the alternative decision recommendation option presented by officers. This was option 1. b) the extension of the Stevenage Leisure Limited contract for the operation of the Catmose Sports Centre for up to 24 months, to 31st March 2025, to enable the development and implementation of a new model for future provision.*

*In particular Cabinet wish to consider conducting a new tender exercise under the same conditions of nil cost to the council.*

The general exception process in Regulation 10 requires that where the publication of the intention to make a Key Decision under Regulation 9 is impracticable, that decision may only be made where the proper officer has **informed** the Chair of the relevant Scrutiny Committee by notice in writing, of the matter about which the decision is to be made. Where such notice has been given and published under Regulation 10, a Key Decision may then only be made after 5 clear days have elapsed following the publication of the notice given to the Chairman of the relevant Scrutiny Committee.

Regulation 11 states that where the date by which a Key Decision must be made, makes compliance with Regulation 10 (the general exception process) impracticable, the decision may only be made where the decision maker has obtained agreement from the Chair of the relevant Scrutiny Committee that the making of the decision is urgent and cannot reasonably be deferred.

Councillor Gale Waller, Chair of the Strategic Overview & Scrutiny Committee, has been consulted and has agreed it would be impracticable to follow the general exception process in relation to this Key Decision. The making of this decision is urgent and cannot reasonably be deferred.

For further guidance and information – please refer to the Constitution, Part 4, Cabinet Procedure Rules, Procedure Rules 108.

