

## COUNCIL

27 March 2023

# REPORT ON USE OF SPECIAL URGENCY PROVISIONS

## Report of the Leader of the Council

Strategic Aim:	A modern and effective Council	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr L Stephenson, Leader and Portfolio Holder for Policy, Strategy, Partnerships and Economy  Cllr S Harvey, Portfolio Holder for Health, Wellbeing and Adult Care	
Contact Officer(s):	Mark Andrews, Chief Executive	01572 758339 mandrews@rutland.gov.uk
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Ward Councillors	NA	

### DECISION RECOMMENDATIONS

That Council:

- 1) Notes the Cabinet's use of Special Urgency provisions on 14 February 2023 in relation to a decision on the Catmose Sports Leisure Contract.

## 1 PURPOSE OF THE REPORT

- 1.1 To report to Council on the use of Special Urgency provisions in relation to a decision made by the Cabinet on 14 February 2023.

## 2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Procedure Rule 107 sets out the process by which a decision may be taken by the Executive (Cabinet) that has not been able to be advertised for 28 days in advance via the Forward Plan, and was also not able to be advertised five working days prior to the decision via a general Exception Notice and the published agenda of the meeting.
- 2.2 Where these circumstances occur the decision can only be considered where the decision taker has obtained the agreement of Chairman of the relevant Scrutiny Committee that the taking of the decision cannot be reasonably deferred.

- 2.3 Procedure Rule 108 then requires that whenever the Special Urgency provisions set out above are used; the Leader of the Council must submit a report to Council within six months providing a summary of the matters in respect of which those decisions were taken.

### **3 CATMOSE SPORTS LEISURE CONTRACT**

- 3.1 On 14 February 2023, Cabinet received an urgent notice of motion and chose to rescind its previous decision regarding Catmose Sports Centre, based on renewed interest from leisure operators arising after the original decision had been taken on 12 January 2023. Cabinet chose to approve the extension of the current contract with Stevenage Leisure Limited for up to two years, to enable the development and implementation of a new model for future provision and to conduct a new tender exercise.
- 3.2 The decision was not able to be advertised via the Forward Plan 28 days prior to 14 February 2023 as the additional interest had only emerged following publicising of the Cabinet's original decision on 26 January 2023.
- 3.3 The decision was also not able to be deferred to a later meeting than 14 February as to do so would have curtailed the Council's ability to conduct and conclude negotiations with Stevenage Leisure Limited prior to the expiry of the current contract on 31 March 2023.
- 3.4 The Chair of the Strategic Overview and Scrutiny Committee was consulted and agreed that proposed decision couldn't be reasonably deferred to a later Cabinet meeting for the reasons set out above, and agreed that the matter could therefore be considered by Cabinet on 14 February 2023.

### **4 CONSULTATION**

- 4.1 No consultation was required in the preparation of this report; however the Chair of the Strategic Overview Scrutiny Committee was consulted as part of the process set out in Procedure Rule 107.

### **5 ALTERNATIVE OPTIONS**

- 5.1 There are no alternative options as Council is required by Procedure Rule 108 to receive the report.

### **6 FINANCIAL IMPLICATIONS**

- 6.1 There are no financial implications arising from this report.

### **7 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 7.1 Procedure Rules 107 and 108 are consistent with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.
- 7.2 The decision-making process undertaken with regard to Catmose Sports Centre, including submission of this report, complies with the requirements of Procedure Rules 107 and 108.

### **8 DATA PROTECTION IMPLICATIONS**

8.1 A Data Protection Impact Assessments (DPIA) has not been completed because no personal data has been processed in the compilation of this report.

## **9 EQUALITY IMPACT ASSESSMENT**

9.1 An Equality Impact Assessment (EqIA) has not been completed because no service or policy changes are being proposed.

## **10 COMMUNITY SAFETY IMPLICATIONS**

10.1 There are no identified community safety implications.

## **11 HEALTH AND WELLBEING IMPLICATIONS**

11.1 There are no identified health and wellbeing implications.

## **12 ORGANISATIONAL IMPLICATIONS**

12.1 There are no identified organisational implications.

## **13 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

13.1 The Executive has complied with Procedure Rule 108 through submission of this report and Council is recommended to note the report accordingly.

## **14 BACKGROUND PAPERS**

14.1 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012:

<https://www.legislation.gov.uk/ukxi/2012/2089/contents/made>

14.2 Constitution of Rutland County Council

14.3 Agenda and minutes of the Cabinet meetings held on 12 January and 14 February 2023:

<https://rutlandcounty.moderngov.co.uk/ieListMeetings.aspx?Committeeld=133>

## **15 APPENDICES**

15.1 There are no appendices to the report.

**A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.**