

SUBJECT:	Executive Reports to the Local Authority
REPORT OF:	Bob Smith, Chief Executive
REPORT AUTHOR:	Leslie Ashton, Democratic and Electoral Services Officer
WARD/S AFFECTED:	Not ward specific

RECOMMENDATION

That the report be noted.

Report

1. Regulation 19 of The Local Authorities (Executive Arrangements) (Meeting and Access to Information) Regulations 2012 requires a report to be submitted to the Council at least each year containing details of each urgent executive decision taken. The Regulations require a report to be submitted to the authority even if it is to report that no urgent executive decisions have been taken.
2. In accordance with the Regulations, the Council is therefore asked to note that two urgent executive decisions have been taken since the last Annual Council held on 15 May 2018. Details of the decisions and reasons for urgency are included below. The relevant notices were published to the Council's website in advance of the meetings.

9 January 2019 - Cabinet

Decision: Implementation of a new Unitary District Council: Cabinet were asked to consider whether the Council should formally consent to the Secretary of State's proposals in the draft Modification Regulations under section 15 of the Cities and Local Government Devolution Act 2016 and respond by the Government's deadline of 10 January 2019 to comply with timescales for laying the necessary Statutory Instrument in Parliament.

Reasons for Urgency: Under Rule 12.2 of the Council's Overview and Scrutiny Procedure Rules the Chairman of Resources Overview Committee agreed to urgent implementation of the Cabinet's decision without the call-in procedure applying because the MHCLG required the Council's decision on consent to proposed structural change in Buckinghamshire by

10 January 2019, to enable the necessary legislation to be laid in Parliament.

24 January 2019 - Cabinet

Decision: Implementation of a new Unitary District Council: Cabinet were asked to consider whether it was expedient for the promotion or protection of the interests of the inhabitants of Chiltern District to institute legal proceedings for judicial review of the Secretary of State's decisions in respect of the Modifications Regulations and the Structural Changes Order, either alone or jointly with other District Councils which could be undertaken under section 222 of the Local Government Act 1972, and that the costs of any legal proceedings be met from the General reserve in accordance with urgency provisions under the Budget and Policy Framework Procedure Rules.

Reasons for Urgency: There was a requirement for any legal proceedings to be issued as a matter of urgency because the Regulations in question had already been laid in Parliament, therefore an urgent decision was required by the Special Cabinet meeting on 24 January to decide if the Council should institute legal proceedings. As required by Rule 12.2 of the Council's Overview and Scrutiny Procedure Rules the Chairman of the Resources Overview Committee agreed to urgent implementation of the Cabinet's decision without the call-in procedure applying due to the requirement for any legal proceedings to be issued as a matter of urgency. As required by the Budget and Policy Framework Procedure Rules the Chairman of the Resources Overview Committee also agreed that the decision to be taken by Cabinet was urgent and it was not practicable to convene a quorate meeting of full Council.
