

NOTICE of reasons for Urgency – KEY DECISION

NORTH HERTFORDSHIRE DISTRICT COUNCIL (“the Council”)

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”)

The Council intends to hold a public meeting of the Cabinet on 16 June 2020 at 7.30p, at which a part 1 and Part 2 urgent item will be considered in respect of Commercial Waste Collections Service Impacts of Covid 19, in particular in relation to the invoicing of customers who use the Council's commercial waste and recycling services.

1. This meeting is deemed to be a relevant “decision-making body” under the Regulations.
2. In these Regulations a “key decision” means an executive decision, which is likely—
 - (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority’s budget for the service or function to which the decision relates; or
 - (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.
3. Under Regulation 9, the Council is required to give notice of its intention to make a Key Decision, at least 28 clear days before the date of this meeting and publish this on its website.
4. Where publication of the intention to make a Key Decision under Regulation 9 is impracticable, then under Regulation 10 that decision may only be made –
 - (a) where the proper officer has informed the Chairman of the Overview and Scrutiny Committee or, if there is no such person, each member of the relevant Overview and Scrutiny Committee by notice in writing, of the matter about which the decision is to be made;
 - (b) where the proper officer has made available at the offices of the relevant local authority for inspection by the public and published on the relevant local authority’s website, a copy of the notice given pursuant to sub-paragraph (a); and
 - (c) after five clear days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b).
5. As soon as reasonably practicable after the agreement has been obtained, the Council must publish a notice setting out the reasons why compliance with Regulation 9 is impracticable.
6. Where the date by which a key decision must be made, makes compliance with Regulation 10 impracticable, the decision may only be made where the decision maker has obtained agreement from—
 - (a) the Chairman of the Overview and Scrutiny Committee; or
 - (b) if the Chairman of the Overview and Scrutiny Committee is unable to act, the Chairman of the Council; or

(c) where there is no Chairman of either the Overview and Scrutiny Committee or of the Council, the Vice-Chairman of the Council,

that the making of the decision is urgent and cannot reasonably be deferred.

7. The Council has obtained the agreement of the Chairman of the Overview and Scrutiny Committee that the making of the decision was considered urgent and could not reasonably be deferred for the following reasons:

STATEMENT OF REASONS

The Covid 19 pandemic has led to several necessary changes to be implemented operationally as well as decisions being made to support residents and local businesses during these difficult times. A decision was made to delay the production of Q1 invoices for commercial waste and recycling collections and to contact businesses who may be experiencing hardship, this decision was made under delegated powers however the financial impacts of options regarding Q1 invoicing has, in part, been determined by the response from businesses. This information has only recently been available and consequently that combined with initial uncertainty regarding the scheduling of Cabinet meetings has meant this item has not met the requirements for notification to the forward plan. This item cannot be delayed to the next meeting of Cabinet due to the uncertainty this creates for businesses in receiving invoices from the Council.

Signed: Melanie Stimpson
Proper Officer of the Council
22 May 2020