

Decisions Plan – Special Urgency Notice

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

Decisions Plan of intended key decisions and other executive decisions and matters taken in private

Date: 1 February 2024 to 31 May 2024: Special Urgency Notice

Publication date: 26 January 2024

Notice is hereby given that the Chair of West Suffolk Council’s Overview and Scrutiny Committee has provided agreement, in accordance with Regulation 10 of the above regulations, that the date by which the matter being taken in private set out below, make compliance with the requirements for notification of a matter being taken in private under Regulation 5(2) of the above regulations impracticable enabling, in this case, the matter to be considered by a body with executive decision-making powers. The matter is urgent for the reasons stated and cannot reasonably be deferred.

Members of the public may wish to:

- make enquiries in respect of any of the intended decisions listed below; or
- receive copies of any of the documents in the public domain listed below; or
- receive copies of any other documents in the public domain relevant to those matters listed below which may be submitted to the decision taker; or
- make representations in relation to why meetings to consider the listed items intended for consideration in private should be open to the public.

In all instances, contact should be made with the named officer in the first instance, either on the telephone number listed against their name, or via email using the format firstname.surname@westsuffolk.gov.uk or via West Suffolk Council, West Suffolk House, Western Way, Bury St Edmunds, Suffolk, IP33 3YU or Mildenhall Hub, Sheldrick Way, Mildenhall, Suffolk IP28 7JX.

The 1 February 2024 to 31 May 2024 version of the Decisions Plan was published on 5 January 2024. This Urgency Notice is now available for public inspection at the above locations and has been published on the Council’s website.

Expected decision date	Subject and purpose of decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision taker (see Note 3 for membership)	Portfolio holder contact details	Lead officer contact details	Documents to be submitted
06/02/24	<p>Budget and Council Tax Setting 2024 to 2025 and Medium Term Financial Strategy 2024 to 2028</p> <p>26 January 2024 Issue of Special Urgency Notice (Inclusion of Exempt Appendices)</p> <p>The Cabinet will be asked to consider the proposals for the 2024 to 2025 budget and Medium Term Financial Strategy 2024 to 2028 for West Suffolk Council, prior to its approval by Council.</p>	Paragraph 3 (Exempt Appendices)	(R) - Council 20/02/24	Cabinet/ Council	Diane Hind Resources	Rachael Mann Director (Resources and Property) 01638 719245	Report to Cabinet with recommendations to Council.

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	<p>The inclusion of exempt Appendices are the business cases for new projects under the Capital Programme and are required to be included to enable the Council to have access to all relevant information. It has not been possible to provide 28 days' notice for the reporting of these Appendices being considered in private session, as it was not known that exempt Appendices would be attached to the consideration of this report.</p>						

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	Under the Access to Information Procedure Rules of the Council's Constitution, paragraphs 16.1 and 17.2, which requires that where the normal procedure cannot be followed in respect of the consideration of matters in private, agreement is to be sought from the Chair of the Overview and Scrutiny Committee as to why the matter cannot be reasonably deferred. This has been undertaken accordingly.						

Note 1: Definition of exempt information and relevant paragraphs of the Local Government Act 1972

In accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended)

The public may be excluded from all or part of the meeting during the consideration of items of business on the grounds that it involves the likely disclosure of exempt information defined in Schedule 12(A) of the Act, as follows:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes –
 - a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

In accordance with Section 100A(3) (a) and (b) of the Local Government Act 1972 (as amended)

Confidential information is also not for public access, but the difference between this and exempt information is that a Government department, legal opinion or the court has prohibited its disclosure in the public domain. Should confidential information require consideration in private, this will be detailed in this Decisions Plan.

Note 2: Key decision definition

A key decision is an executive decision that either:

- a. Results in new expenditure, or a reduced income or savings of more than £100k in any one year that has not otherwise been included in the Council's revenue or capital budgets.
- b. Comprises or includes the making, approval or publication of a draft or final scheme, which is not a routine business decision, that may require, either directly or in the event of objections, the approval of a Minister of the Crown.
- c. Results in the formation of a new company, limited liability partnership or joint venture.
- d. Has a potentially detrimental impact on communities outside of West Suffolk District.
- e. Is a decision that is significant in terms of its effect on communities living or working in a definable local community in the District, or on one or more wards, in that it will:
 - i. Have a long-term, lasting impact on that community; or
 - ii. Restrict the ability of individual businesses or residents in that area to undertake particular activities; or
 - iii. Removes the provision of a service or facility for that community; or
 - iv. Increases the charges payable by members of the community to provide a service or facility by more than 5%; or
 - v. Have the potential to create significant local controversy or reputational damage to the Council
- f. A matter that the decision maker considers to be a key decision.
- g. Any matters that fall under the scope of e. above must be subject to consultation with the local Member(s) in Wards that are likely to be impacted by the decision prior to the decision being made.

Note 3: Membership of bodies making key decisions

a. Membership of West Suffolk Council's Cabinet and their portfolios

Cabinet Member	Portfolio
Cliff Waterman	Leader of the Council
Victor Lukaniuk	Deputy Leader of the Council
Donna Higgins	Portfolio Holder for Families and Communities
Diane Hind	Portfolio Holder for Resources
Gerald Kelly	Portfolio Holder for Governance and Regulatory
Richard O'Driscoll	Portfolio Holder for Housing
Ian Shipp	Portfolio Holder for Leisure
David Taylor	Portfolio Holder for Operations
Jim Thorndyke	Portfolio Holder for Planning
Indy Wijenayaka	Portfolio Holder for Growth

b. Membership of the Anglia Revenues Partnership Joint Committee (made up of Breckland Council, East Cambridgeshire District Council, East Suffolk Council, Fenland District Council and West Suffolk Council)

Member Council	Full representative	Substitute representatives
Breckland	Philip Cowen	Sam Chapman-Allen Sarah Suggitt
East Cambridgeshire	James Lay	Anna Bailey Alan Sharp
East Suffolk	Paul Ashton	Peter Byatt Vacancy
Fenland	Jan French	Chris Boden Vacancy
West Suffolk	Diane Hind	Victor Lukaniuk David Taylor

Jennifer Eves
 Director (Human Resources, Governance and Regulatory)
 Date: 26 January 2024