

Decisions Plan – Special Urgency Notice

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

Intended Key decisions and other executive decisions to be considered

Date: 18 March 2021 to 31 May 2021: Special Urgency Notice

Publication date: 18 March 2021

Notice is hereby given that the Chair of the Overview and Scrutiny Committee has given permission, in accordance with Regulation 11 of the above Regulations, that the date by which the key decision set out below, make compliance with the requirements for notification of a key decision being made under Regulation 9(2) respectively of the above Regulations impracticable, enabling, in this case, the matter to be considered by a body with executive decision-making powers. The intended key decision 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 College Heath Road, Mildenhall, Bury St Edmunds, IP28 7EY.

The 1 March to 31 May 2021 version of the Decisions Plan was published on 12 February 2021. This Special Urgency Notice has now 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 |
|------------------------|--|---|--|---|--|---|--|
| 18/03/21 | <p>Public Space Protection Orders (PSPOs): West Suffolk</p> <p>At the Cabinet meeting arranged for 16 March 2021, Members were to make the decision to approve a proposal in Haverhill for the removal of a residential area from the existing PSPO and to approve a proposal to introduce a new PSPO in the Moreton Hall area of Bury St Edmunds.</p> <p>Unfortunately, due to technical issues which prevented the Cabinet agenda and the</p> | | (KD) | Portfolio Holder for Families and Communities | Councillor Robert Everitt, Portfolio Holder for Families and Communities 01284 769000 | Davina Howes Assistant Director (Families and Communities) 01284 757070 | Reports to the Portfolio Holder for Families and Communities and associated Appendices |

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|------------------------|--|---|--|--|----------------------------------|------------------------------|---------------------------|
| | <p>livestream to the meeting being accessed by the public, the meeting was cancelled.</p> <p>Therefore, it is not deemed appropriate to delay this decision to a later meeting of the Cabinet as it related to concerns of residents regarding anti-social behaviour and for this decision to now be made by the Portfolio Holder for Families and Communities.</p> <p>Due to the unforeseen circumstances of the Cabinet not being able to make this decision</p> | | | | | | |

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|------------------------|---|---|--|--|----------------------------------|------------------------------|---------------------------|
| | <p>on 16 March 2021, it has not been possible to provide for the required 28 days' notice of this key decision to be made by the Portfolio Holder.</p> <p>As provided for under Part 4 of the Constitution under the Overview and Scrutiny Committee Procedure Rules, the Chair of the Overview and Scrutiny Committee has agreed that the decision proposed is reasonable and to it being treated as a matter of urgency.</p> <p>Under the Access to</p> | | | | | | |

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| | Information Procedure Rules of the Constitution, paragraphs 17.1 and 17.3 relates to a key decision and matters being taken in private and requires that where the normal procedure cannot be followed, the agreement of the Chair of the Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred is required and this agreement has been given 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 |
|-----------------------|--|
| John Griffiths | Leader of the Council |
| Sara Mildmay-White | Deputy Leader of the Council and Housing |
| Sarah Broughton | Portfolio Holder for Resources and Performance |
| Carol Bull | Portfolio Holder for Governance |
| Andy Drummond | Portfolio Holder for Regulatory |
| Robert Everitt | Portfolio Holder for Families and Communities |
| Susan Glossop | Portfolio Holder for Growth |
| Jo Rayner | Portfolio Holder for Leisure, Culture and Community Hubs |
| David Roach | Portfolio Holder for Local Plan Development and Delivery |
| Peter Stevens | Portfolio Holder for Operations |

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 representative |
|-----------------------|----------------------------|-------------------------------------|
| Breckland | Philip Cowen | Sam Chapman-Allen and Paul Claussen |
| East Cambridgeshire | David Ambrose-Smith | David Brown and Joshua Schumann |
| East Suffolk | Steve Gallant | To be confirmed |
| Fenland | Jan French | David Connor and Kim French |
| West Suffolk | Sarah Broughton | Sara Mildmay-White |

Jennifer Eves
Assistant Director (HR, Legal and Democratic Services)
Date: 18 March 2021