

22 September 2023

Notice of Key Decisions

Report of Corporate Management Team

Helen Bradley, Head of Legal and Democratic Services

Electoral division(s) affected:

Countywide.

Purpose of the Report

- 1 To consider the list of key decisions that is scheduled to be considered by the Executive.

Recommendation(s)

- 2 The Corporate Overview and Scrutiny management board is recommended to give consideration to items listed in the notice.

Background

- 3 New rules in relation to Executive decisions were introduced by The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, which came into force on 10 September 2012.
- 4 The regulations took away the requirement for the Executive to produce a Forward Plan of key decisions, however introduced that the decision maker cannot make a key decision unless a document has been published at least 28 clear days before the decision is taken, unless either a general exception or special urgency requirements have been met. The document which has to be published must state:
 - a) that the key decision is to be made on behalf of the relevant local authority
 - b) the matter in respect of which the decision is to be made

- c) where the decision maker is an individual, that individual's name and title if any and where the decision maker is a decision making body, its name and list of its members
 - d) the date on which or the period within which the decision is to be made
 - e) a list of the document submitted to the decision maker for consideration in relation to the matter of which the key decision is to be made
 - f) the address from which, subject to any prohibition or restriction on their disclosure copies of, or extracts from any document listed as available
 - g) that other documents relevant to those matters may be submitted to the decision maker
 - h) the procedure for requesting details of those documents (if any) as they become available.
- 5 The requirements also apply to an exempt matter as previously it did not strictly have to be included in the Forward Plan. Now a publicity document must contain particulars of the matter, but may not contain any confidential exempt information or particulars of the adviser or political adviser or assistant.
- 6 Notices of key decisions that are being produced meet the legal requirements of publication, as well as continuing to provide information for a four month period. Members will therefore be able to consider key decisions as previously for the four month period.

Current Notice of Key Decisions

- 7 The notice of key decisions that is attached to the report at Appendix 2, is the latest to be published prior to the papers for the Board being dispatched to members. The notice complies with the requirements for Cabinet to take key decisions at its meeting to be held on 11 October 2023. It also contained information on those key decisions that are currently scheduled to be considered by the Executive up to 31 January 2024.

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Appendix 1: Implications

Legal Implications

Will be reflected in each individual key decision report to Cabinet. To publish the notice of key decisions in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Finance

Will be reflected in each individual key decision report to Cabinet.

Consultation

Will be reflected in each individual key decision report to Cabinet.

Equality and Diversity / Public Sector Equality Duty

Will be reflected in each individual key decision report to Cabinet.

Climate Change

Will be reflected in each individual key decision report to Cabinet.

Human Rights

Will be reflected in each individual key decision report to Cabinet.

Crime and Disorder

Will be reflected in each individual key decision report to Cabinet.

Staffing

Will be reflected in each individual key decision report to Cabinet.

Accommodation

Will be reflected in each individual key decision report to Cabinet.

Risk

Will be reflected in each individual key decision report to Cabinet.

Procurement

Will be reflected in each individual key decision report to Cabinet.