



COUNCIL, 15 December 2020

REPORT OF THE CHIEF EXECUTIVE

SUBJECT: OVERVIEW AND SCRUTINY RULES – EXCEPTION TO THE CALL-IN (REQUISITION) PROCEDURE

SUMMARY

Under paragraph 18e of the Overview and Scrutiny Procedure Rules, the Leader of the Council is required to submit reports to Council on decisions taken by himself, Cabinet or individual Cabinet members, or key decisions made by a member of staff in the circumstances set out in Rule 18 (exemption to the call-in (requisition) procedure) within the previous 3 months.

Owing to the exceptional circumstances caused by the COVID pandemic, the report lists matters exempt from call-in between 30 March to 02 December 2020.

RECOMMENDATIONS

That the report be noted.

REPORT DETAIL

1. Rule 18 of the Overview and Scrutiny Committee Procedure Rules provides that:

- (b) The call-in procedure shall not apply where a decision being taken by Cabinet or an individual Cabinet member, or a key decision made by a member of staff is urgent. A decision will be urgent if any delay likely to be caused by the call-in process**

would seriously prejudice the Council's or the public interests. The record of the decision and notice by which it is made shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in.

(c) The decision making person or body can only take an urgent decision under (a) above and avoid the call-in procedures after obtaining agreement from the Chairman of the Board that the decision be treated as urgent.

2. The period covered by this report includes decision making that took place during the Coronavirus pandemic when normal regulations were suspended, including Call-in. In order to allow for the business of the Council to be conducted expeditiously and in response to the crisis, daily meetings took place to ensure that a process of governance was established and to maintain full transparency in the decision making process during this period.
3. Under the law, any decision made under Special Urgency must have the agreement of the Chair of the Overview and Scrutiny Board who must be satisfied that the case of Special Urgency is urgent and cannot reasonably be deferred. In all cases of Special urgency listed below, the agreement of the Chair of the Overview and Scrutiny Board was given in writing.
4. A full list of the Executive Decisions made under Special Urgency procedures between 30th March and 02 December 2020 appears below. This also includes key decisions made not subject to Call-in following the Gold Command suspension of Council Procedure Rules, evidenced in decisions by the Chief Executive, Andrew Blake-Herbert on 23rd March and a further decision, Extension of the Suspension of Council, Cabinet and Committee Meetings and the New Regulations on Remote Meetings, made on 11 May 2020.

Decision	Decision Maker	Date	Reason for Special Urgency
Implementation of Business Continuity Measures- Bereavement & Registration Services	Leader of the Council	31.3.20	To take the best possible action during the Covid-19 emergency to protect the health and safety of all Havering residents. Urgent matter which could not reasonably be deferred.
Closure of PASC Service for Housing Demand	Patrick Odling-Smee, Director of Housing	31.3.20	To protect and maintain the wellbeing of Havering residents during the Coronavirus outbreak. Urgent matter which could not reasonably be deferred.
Suspension of the Housing Choice and Application Lettings Policy	Patrick Odling-Smee, Director of Housing	31.1.20	To protect and maintain the wellbeing of Havering residents during the Coronavirus outbreak. Urgent matter which could not reasonably be deferred.
Temporary changes to housing repairs and maintenance services	Patrick Odling-Smee, Director of Housing	1.4.20	To protect and maintain the wellbeing of Havering residents during the Coronavirus outbreak. Urgent matter, which could not reasonably be deferred.
Microsoft Cloud Enrolment Agreement	Jane West, Chief operating Officer	1.4.20	No Call-in due to Gold Command

Changes to the Council's Complaint Policy and Procedure as a result of the Covid-19 Crisis	Andrew Blake-Herbert, Chief Executive	1.4.20	To protect and maintain the wellbeing of Havering residents during the Coronavirus outbreak. Urgent matter which could not reasonably be deferred.
Temporary closure due to coronavirus of Havering Library Service, Havering Music School, Fairkytes Arts Centre, sports events and activities	Andrew Blake-Herbert, Chief Executive	2.4.20	To protect and maintain the wellbeing of Havering residents during the Coronavirus outbreak. Urgent matter which could not reasonably be deferred.
Approval to implement the waste services business continuity plan in response to Covid-19 outbreak should resource levels drop below the prescribed threshold and agree the service option outlined in this report	Leader of the Council	2.4.20	In accordance with Government directives in line with the Coronavirus pandemic to protect the health and wellbeing of Havering Residents. Urgent matter which could not reasonably be deferred.
Temporary Closure of the Cocoon during Covid-19	Robert South, Director of Children's Services	3.4.20	To protect and maintain the wellbeing of Havering residents during the Coronavirus outbreak. Urgent matter which could not reasonably be deferred.
Temporary	Leader of the	3.4.20	To protect and

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Closure of Romford Market	Council		maintain the wellbeing of Havering residents during the Coronavirus outbreak. Urgent matter which could not reasonably be deferred.
Resilience of Children's Centres and MyPlace Youth and Community Centre during Covid-19 Pandemic	Robert South, Director of Children's Services	06.04.20	In accordance with Government directives in line with the Coronavirus pandemic to protect the health and wellbeing of Havering residents. Urgent matter, which could not reasonably be deferred.
Approval to deliver a range of emergency economic development services in relation to the Coronavirus Pandemic and its impact on the Havering Economy	Andrew Blake-Herbert, Chief Executive	06.04.20	In order to act as quickly as possible and to take appropriate action in the light of the Coronavirus pandemic in the best interests of Havering residents. Urgent matter which could not reasonably be deferred.
Implementation of Business Continuity Measures – Bereavement & Registration Service	Leader of the Council	07.04.20	In order to take the best possible action during the Coronavirus pandemic. Urgent matter which could not reasonably be deferred.

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Adoption of Statement of Gambling Policy 2020-2023	Cabinet	07.04.20	No Call-In due to Gold Command
COVID-19 Update on Business Rates, Council Tax Support, the Emergency Assistance Scheme and the Income Management Plan	Leader of the Council	09.04.20	To allow the Council to make best provision for Havering business and residents during the Coronavirus pandemic. Urgent matter which could not reasonably be deferred.
Temporary HR Procedure Variations (Covid-19)	Leader of the Council	09.04.20	To make temporary provision for employees in the light of coronavirus pandemic. Urgent matter which could not reasonably be deferred.
To implement the amalgamation of St Ursula's Catholic Infant School and St Ursula's Catholic Junior School	Cabinet Member for Education, Children and Families	23.04.20	No Call-In due to Gold Command
Commission additional capacity in care homes for hospital discharge patients.	Barbara Nicholls, Director of Adults & Social Care	16.04.20	In order to act as quickly as possible and to take appropriate action in the light of the Coronavirus pandemic. Urgent matter which could not reasonably be deferred.
Complex Placements Dynamic Purchasing	Cabinet	16.04.20	No Call-In due to Gold Command

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System Framework			
Parking Re-Prioritisation following the outbreak of Covid-19 in March 2020	Barry Francis, Director of Neighbourhoods	28.4.20	To act in the best possible way in the interests of the Borough and its residents. Urgent matter which could not reasonably be deferred.
Covid-19 Emergency funding for the purchase of PPE	Neil Stubbings, Director of Regeneration	21.04.20	To allow for PPE to be purchased expeditiously during the Covid-19 pandemic. Urgent matter which could not reasonably be deferred.
Working pay arrangements for staff affected by school closures and contingent worker pay	Jane West, Chief Operating Officer	22.04.20	No Call-In due to Gold Command
Implementation of Business Continuity Measures – Bereavement & Registration Service	Barry Francis, Director of Neighbourhoods	28.4.20	In order to take the best possible action during the Coronavirus pandemic to protect mourners. Urgent matter which could not reasonably be deferred.
Application for a grant using the Government's Coronavirus Job Retention Scheme	Leader of the Council	1.5.20	To ensure the London Borough of Havering is best placed to serve residents and officers. Urgent matter which could not reasonably be deferred to ensure the opportunity to

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			apply for the grant is not missed.
Closure of Children's centres and MyPlace due to Covid-19	Robert South, Director of Children's Services	1.6.20	To ensure the safety and wellbeing of Havering residents. Urgent matter which could not reasonably be deferred.
Closure of Cocoon due to Covid-19	Robert South, Director of Children's Services	1.6.20	To ensure the safety and wellbeing of Havering residents. Urgent matter which could not reasonably be deferred.
Agreement of Discretionary Top Up Business Grant Scheme - Phase 1	Leader of the Council	16.6.20	To enable the Council to best serve its residents during the Coronavirus pandemic and to support local businesses. Urgent matter which could not reasonably be deferred.
Authority to award a contract in relation to the construction of a school expansion at Mead Primary School	Robert South, Director of Children's Services	25.6.20	No Call-In due to Gold Command
Bereavement Services - Re-opening of Services	Andrew Blake Herbert, Chief Executive	1.7.20	To ensure a speedy decision to re-open services in the light of the Coronavirus pandemic. Urgent matter which cannot reasonably

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			be deferred.
Exit strategy for Parking following the outbreak of Covid-19 in March 2020	Director of Neighbourhoods, Barry Francis	29.6.20	To allow for the decision to be implemented urgently. Urgent matter which cannot reasonably be deferred
Re-opening Play and Recreations areas in Parks and Housing Estates	Cabinet Member for Environment	3.7.20	Urgent decision in the best interests of Havering residents to all for safe re-opening in a measured way as lockdown restrictions are gradually lifted. Urgent matter which cannot reasonably be deferred.
Romford Market – Recovery Plan	Leader of the Council	18.07.20	No Call due to Gold Command
School Streets	Leader of the Council	17.07.20	In order that school and resident engagement may commence prior to the end of the academic term. Urgent matter which cannot reasonably be deferred.
Support for SLM – Coronavirus Pandemic	Leader of the Council	17.07.20	In order to meet deadlines to re-open leisure centres following the lifting of Coronavirus pandemic restrictions. Urgent matter which cannot reasonably

			be deferred.
MHCLG Reopening High Street Safely Fund allocation to Havering of £231,05	Leader of the Council	17.07.20	To assist in safely re-opening the high street and the gradual lifting of lockdown restrictions. Finance would be lost without an urgent decision and so could not reasonably be deferred.
Amendments to the facilitation of Personal Searches of the Local Land Charges Register in light of Covid-19	Assistant Director of Planning	13.08.20	Urgent decision needed to facilitate personal searches which can not be reasonably deferred.
School Streets - consultation outcome	Cabinet Member for Environment, Cllr Osman Dervish	27.08.20	Due to the impact of Covid and social distancing measures together with the aim of the Government to have children in Schools for September early engagement is needed with schools and residents to allow for full consultation. This decision is urgent and cannot reasonably be deferred.
Havering Recovery Plan-Phase 1	Chief Executive	19.10.20	Urgent decision to ensure the recovery plan for Havering is implemented as soon as possible and when needed. This decision could

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			not reasonably be deferred.
COVID-19 Update on Business Rates, Local Restrictions Support Grant	The Leader	26.10.20	Urgent decision to allow the Council to plan and undertake effective strategies for working and service delivery during the current Covid 19 outbreak. The decision cannot reasonably be deferred, as action is required now for Tier 2 areas.
Changes to the Council's Complaint Policy and Procedure as a result of the Covid 19 Crisis	The Leader	06.11.20	Urgent decision which cannot reasonably be deferred due to the need to redeploy staff to deal with COVID-19 matters within the Borough which is temporary during the period of lockdown.
Local Restrictions Support Grant	The Leader	09.11.20	Urgent decision which cannot reasonably be deferred in order to put everything in place to pay the relevant grants to businesses as soon as possible, subject to Government Guidance.
Covid-19 Library service options: 5 Nov 2020 - 2 Dec 2020	The Leader	12.11.20	This is an urgent decision which cannot reasonably be deferred due to the announcement

			of the Government of a further lockdown and to comply with Government Guidance
Support for SLM – Coronavirus Pandemic	The Leader	16.11.20	An urgent decision which cannot reasonably be deferred further to lockdown 2 due to concern over the fact that SLM will withdraw due to financial instability.
COVID Winter Grant Scheme	The Leader	30.11.20	The initial announcement was made on 8 November and allocation letter sent to Havering on 10 November. The draft guidance for the administration of the Grant came through on 19 November. The draft policy for the administration of the Grant as well as draft ED have been produced quickly to facilitate a start date to distribute the Grant from 1 December 2020. There would not be sufficient time for this decision to be taken through the usual process to allow for call-in. This would delay the implementation date of this

			important scheme for families in need. The decision is urgent and cannot reasonably be deferred.
Contain Outbreak Management Plan	The Leader	02.12.20	Whilst some provision to respond to the ongoing challenge posed by the COVID-19 outbreak have been put in place (for instance COVID Marshals), the remainder measures require an urgent decision to be implemented. Therefore, a decision on this report under the "Special Urgency" provision is required to allow the Council to plan and undertake effective strategies for working and service delivery during the current Covid-19 outbreak.

Financial Implications and Risks:

While there were financial implications around the decision described in this report, there are none directly associated with this report.

Legal Implications and Risks:

There are no immediate legal implications directly associated with this report.

Human Resource Implications and Risks:

There are none directly associated with this report.

Equalities and Social Inclusion Implications and Risks:

There are none directly associated with this report.

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Background paper List

None