

Notice to the Chair of the Resources and Public Realm Scrutiny Committee

Urgent Key Decision form

DECISION DETAILS

Decision Maker: Chief Executive

Decision Title: London Business Rates Pool 2019-20

Description of Decision: To decide whether to continue in the London Business Rates Pool and participate in the 75% retention pilot.

When will the Decision be made? 09/01/19

Will the accompanying report be: Open Part Exempt Fully Exempt

Reasons for exemption (if applicable)

The report will contain the following category of Information exempt from publication under the Schedule 12A of the Local Government Act 1972, namely paragraph: Select paragraph.

TYPE OF URGENCY

Please tick all that apply:

- A. The decision is urgent and 28 clear days' notice of the decision cannot be given but at least 5 clear days' notice can
- B. The decision is extremely urgent and even 5 clear days' notice of the decision cannot be given
- C. The decision will be made by members at a meeting and 28 clear days' notice that the proposed decision may be discussed in private (i.e. the report will contain information exempt from publication) cannot be given
- D. D. The decision must be implemented urgently and the 5 day call-in period must be dis-applied to allow the decision to take immediate effect.

REASONS FOR URGENCY

If you have selected options A, B or C please explain:

- **Why it was not possible to provide the required notice (i.e. why the decision or exemption was not anticipated)**

The provisional local government finance settlement issued on 13 December confirmed that authorities have 28 days from this date to confirm if they wish to opt out of the 2019-20 pilot. It was therefore not possible to give 28 days' notice of the decision

- **Why it is impractical to defer the decision to a later date to allow the appropriate notice to be provided.**

Any decision to opt out of the 2019-20 pilot must be notified to the Secretary of State by 10 January 2019.

If you have selected Option D please explain why the council's interest or the public interest would be seriously prejudiced by the decision not taking immediate effect.

Any decision to opt out of the 2019-20 pilot must be notified to the Secretary of State by 10 January 2019 and a 5 day call-in period would prevent this.

SIGN-OFF

Strategic Director, Resources

Printed Name: Althea Loderick

Signature: *Althea Loderick*

Chief Executive

Printed Name: Carolyn Downs

Signature: *Carolyn Downs*

**THE FOLLOWING SECTION IS TO BE COMPLETED BY
GOVERNANCE SERVICES**

CHAIR OF SCRUTINY

Notice to: Cllr Matt Kelcher (Chair of the Resources and Public Realm Scrutiny Committee)

The Chair is asked to:

Note that an urgent decision will be taken as detailed in the form above.

The decision is deemed urgent because insufficient (less than 28 days) notice of the intention to take the decision was provided on the Forward Plan. However, at least 5 clear days' notice has been provided and therefore the Scrutiny Chair is only required to note that the decision will be taken.

Permit the extremely urgent decision to be taken as detailed in the form above.

The decision is deemed extremely urgent as less than 5 clear days' notice of the intention to take the decision has been provided. The Scrutiny Chair is asked to agree that the decision is urgent and cannot be reasonably deferred for the reasons detailed in the form above.

Permit discussion of exempt information in private relying on Schedule 12A of the Local Government Act 1972

If a report is likely to contain information exempt from publication under schedule 12A of the Local Government Act 1972, then 28 days' notice of this must be provided on the Forward Plan. Where this requirement has not been met, the agreement of the Scrutiny Chair is required before proceeding.

Permit the dis-application of the 5 day call-in period, allowing the decision detailed in the form above to take immediate effect.

A Cabinet decision or a Key Decision cannot be implemented until the 5 day call in period has elapsed and no valid call-in has been received. The call-in protocol can be dis-applied if the council's or the public interest would be seriously prejudiced by the decision not taking immediate effect. The Chief Executive must determine whether a decision is urgent in this regard. The consent of the Scrutiny Chair to the matter being treated as urgent is also required.

SIGN-OFF

Notice sent to Cllr Matt Kelcher on 08/01/19

Chair's approval: Required Not Required

Date approval granted (if applicable): 08/01/19