

WESTMORLAND AND FURNESS COUNCIL

Report Title:	Urgency Report
Meeting:	Council
Meeting Date:	23 November 2023
Report Author:	Linda Jones – Chief Legal and Monitoring Officer
Lead Cabinet Member(s):	Leader of the Council
Wards Affected?	N/A
PUBLIC, PART EXEMPT OR FULLY EXEMPT	Public
List of Appendices (if any)	Appendix 1 – Schedule of Urgent Decisions

1. Executive Summary

- 1.1 This report notifies members of urgent decisions which have been taken in line with the Council's Constitution, since the last meeting of Council.

2. Recommendation

For the reasons set out in this report, it is recommended that -

- 2.1 members note the report.

3. Information: the Rationale and Evidence

- 3.1 This report sets out details of urgent decisions which have been taken since the last meeting of Council held on 21 September 2023. All such decisions must be reported to Council under the Constitution.
- 3.2 Key Decisions to be taken by Cabinet or a Director must be advertised for at least 28 working days prior to the decision being taken. When this rule cannot be complied with, owing to the urgency of the decision, the Council's Constitution permits Key Decisions to be taken in the following circumstances:
- Access to Information Procedure Rule 16 – Notice is sent to the Chair of the relevant Scrutiny Advisory Board and is published on the Council's website and at the Council's offices and five working days elapse before the decision is taken; and
 - Access to Information Procedure Rule 17 – when it is not possible to give five working days' notice the approval of the Chair of the relevant Scrutiny Advisory Board is sought and the Notice is published on the website and at the Council offices.
- 3.3 Decisions of the Cabinet, Officer Key Decisions and decisions of Locality Boards are subject to the rules of Call In. The Call In procedure does not apply where the decision being taken is urgent. There is a process in the Overview and Scrutiny Procedure Rules for exempting decisions from Call In.

- 3.4 Urgent decisions which are taken under Rule 17, or which are otherwise exempt from Call In must be reported to the next available meeting of the Council, with the reasons for urgency identified.
- 3.5 Since the last meeting of Council there has been 1 urgent decision taken by Directors. This decision is set out in Appendix 1 of this report.
- 4. Link to Council Plan Priorities: (People, Climate, Communities, Economy and Culture, Customers, Workforce)**
 - 4.1 The decisions taken meet the Council plan priorities of People.
- 5. Consultation Outcomes (with services, ward councillors & public consultation where required)**
 - 5.1 There is no requirement to consult on this report.
- 6. Alternative Options Considered**
 - 6.1 There are no alternatives to this report it is a requirement of the Councils Constitution.
- 7. Financial Implications and risk**
 - 7.1 The financial implications of the urgent decisions were included in the Key Decision Records.
 - 7.2 Overall the budget was already in place for the decisions.
- 8. Legal & Governance Implications**
 - 8.1 The legal implications of the urgent decision were included in the Key Decision Record which made the decision. The urgent decision was taken in accordance with the requirements of the Constitution.
- 9. Human Resources Implications**
 - 9.1 There are no direct Human Resources implications arising from this report.
- 10. Equality & Diversity Implications** (including the public sector equality duty, Armed Forces Families, Care Leavers and Health inequalities implications)
 - 10.1 There are no equality and diversity implications arising from this report.
- 11. Background Information & Sources (used in preparation of this Report)**
 - 11.1 None.

WESTMORLAND AND FURNESS COUNCIL

Schedule of Decisions Taken

Date of Decision	Subject	Decision	Reason	Approval																											
10 November 2023	Approval of the Grants from the UK Shared Prosperity Fund and the Rural England Prosperity Fund (over £500,000)	<p>The Director of Thriving Places agreed d to make the Grant Awards to approve the following 7 individual grant applications as follows and enter into Grant Agreements or Memorandums of Understanding where the funding is being provided to Westmorland and Furness with the recipients of the Grants.</p> <table><tr><th>Ref</th><th>Grant Recipient</th><th>Grant Award</th></tr><tr><td>1</td><td>Cumbria Chamber of Commerce</td><td>1,016,378</td></tr><tr><td>2</td><td>Cumberland Council (CSEP) to create a Social Enterprise Zone for Westmorland and Furness</td><td>528,447</td></tr><tr><td>3</td><td>Canal & River Trust</td><td>751,576</td></tr><tr><td>4</td><td>Westmorland and Furness Council for the Kendal Market Hall Regeneration</td><td>750,000</td></tr><tr><td>5</td><td>CLEP</td><td>1,630,000</td></tr><tr><td>6</td><td>Cumbria Action for Sustainability</td><td>571,359</td></tr><tr><td>7</td><td>Inspira</td><td>615,066</td></tr><tr><td></td><td>Total</td><td>£5,862,826</td></tr></table>	Ref	Grant Recipient	Grant Award	1	Cumbria Chamber of Commerce	1,016,378	2	Cumberland Council (CSEP) to create a Social Enterprise Zone for Westmorland and Furness	528,447	3	Canal & River Trust	751,576	4	Westmorland and Furness Council for the Kendal Market Hall Regeneration	750,000	5	CLEP	1,630,000	6	Cumbria Action for Sustainability	571,359	7	Inspira	615,066		Total	£5,862,826	<p>The UKSPF and REPF are three-year programmes and any funding which has not been spent at the end of year 3 (2024/25) will need to be returned to the government.</p> <p>DLUHC has recently written to all councils confirming that any underspend in 2023/24 can be retained by lead local authorities to spend in 2024/25 but the aggregate spend in 2022/23 and 2023/24 will impact on the initial payment made in 2024/25.</p> <p>Lead local authorities must have spend at least 80% of the aggregate allocation for the first 2 years</p>	Rule 17
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			<p>to get the full upfront payment in 2024/25.</p> <p>If less than 80% of the aggregate allocation has been spent then the amount paid upfront will reduce on a sliding scale to nil if the total spend for the first two years is less than 20% of the aggregate fund. Any allocation not paid upfront will be paid at the end of 2024/25 based on actual spend but this will have implications for the Council's funding of those projects. Any delay in getting the grant awards agreed and grant agreements entered into could impact on the ability to achieve the target spend by the end of 2023/24</p>	
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