

CONSENT TO URGENT DECISION	PART 1 (to be completed by the person seeking consent)	
Proposed Decision Maker <i>(please name person or body proposing to take decision, if an officer also state title)</i>		Date for Decision
Cabinet		29 September 2020
Title: Devolution and Local Government Reform		
<p>Summary of matter</p> <p>On 22nd September, the full Council adopted the following resolution in relation to Local Government Reform in Warwickshire:</p> <ol style="list-style-type: none"> 1. That, having considered the Strategic Case for Change for Local Government Reform in Warwickshire, the Council supports its submission to the Ministry of Housing, Communities and Local Government (MHCLG) in order to seek from Government an invitation to enter into conversation and consideration of the future local government structure for Warwickshire. 2. That the Council considers that in the next phase of work to shape a future model for local government in Warwickshire, conversations should take place at all levels, including with residents, based on the following principles <ol style="list-style-type: none"> i. double devolution - moving influence and power closer to communities, levelling up health and wellbeing and tackling inequalities; ii. ensuring that Climate Change and adaptation are built into a new model of local government; iii. achieving better value for our taxpayers; iv. simplified governance with clear, accountable leadership; v. co-design of the model is undertaken; and vi. a balance of local focus with a strategic approach when needed. 3. That the Council considers that a Residents Panel should be established and that an invitation should be extended to the District and Borough Councils to do so jointly with the County Council, to seek the views of Warwickshire residents. 4. That the Council requests that the Leader, following this meeting, considers inviting the Warwickshire District and Borough Councils to make their submission to MHCLG along with and at the same time as any submission made by the County Council <p>Council voted against an amendment to the above resolution that would have required a delay in the submission of the Case for Change until after publication of the White Paper on Devolution and Local Recovery, by 44 votes to 8 (with 2 abstentions). The substantive resolution (as set out above) was passed by 34 votes to 14 (with 6 abstentions). The Leader has since written to the Warwickshire District and Borough Councils, as requested by Council, to invite them to make their submission to MHCLG along with and at the same time as any submission made by the Council.</p> <p>The report to full Council envisaged that Cabinet would subsequently consider whether to submit the Strategic Case for Change to MHCLG, having regard to the views expressed at, and the outcome of, the Council meeting. It was envisaged that this would be done either at an extraordinary Cabinet meeting which would be arranged with the requisite notice having been given, or as an additional agenda item at the pre-arranged meeting of Cabinet on 8 October 2020.</p>		

Summary of matter (contd)

However, the outcome of the Council meeting was reported by the Leader to the Secretary of State for MHCLG on the evening of 23 September. During that telephone call, the Secretary of State indicated that he would be willing to consider the Council's Strategic Case for Change if the Council were able to submit it to MHCLG by the end of September. The Leader has confirmed that she was left with the impression that if the Council could do this, it would maximise the chances of its Case for Change being considered by MHCLG in an early phase of its decision-making process.

In order to meet the Secretary of State's deadline of the end of September, Cabinet would need to take its decision on or before that date, and any decision to submit the Case for Change would need to be capable of being implemented immediately.

Proposed Decision (DRAFT)

That

1. Having regard to the decision made, and the views expressed, by the Council at its meeting on 22nd September 2020, the Strategic Case for Change should be submitted to the Ministry of Housing, Communities and Local Government (MHCLG) in order to seek from Government an invitation to enter into conversation and consideration of the future local government structure for Warwickshire
2. The Chief Executive is required to submit the Strategic Case for Change to MHCLG before close of business on 30th September 2020

Reasons for urgency

The outcome of the full Council meeting was reported by the Leader of the Council to the Secretary of State on the evening of 23 September.

During that telephone call, the Secretary of State indicated that he would be willing to consider the Council's Strategic Case for Change if the Council were able to submit it to MHCLG by the end of the month. The Leader has confirmed that she was left with the impression that if the Council could do this, it would maximise the chances of Warwickshire being considered in an early phase of MHCLG's decision-making process.

In order to meet the deadline set out by the Secretary of State, it is necessary for Cabinet to take a decision on or before 30 September. There are only two clear days between today (25 September) and that date (and there were only four clear days between the date of the Leader's telephone call with the Secretary of State and that date). Accordingly, it is not possible to comply with the requirement laid down by Standing Orders 16.1 and 28.2 to give five clear working days' notice of the Cabinet meeting, and it is not possible to make a general exception under Standing Order 17 because it is not possible to comply with condition (d).

Reasons for urgency (contd)

Therefore, for a decision to be taken on or before 30th September, and for that decision to be capable of immediate implementation, it would need to be taken under the Council's urgency procedure (SO 18), which requires the consent of the Chair of the Resources and Fire and Rescue Overview and Scrutiny Committee.

It is considered that the proposed decision cannot be deferred and should be treated as a matter of urgency because any delay would seriously prejudice the Council or the public interest. At the Council meeting on 22 September, there was a broad measure of agreement that reform of local government in Warwickshire was necessary (although differing views were expressed as to the nature of the reform that is required) and that the financial and other challenges facing local authorities in Warwickshire (including those created by the Covid-19 pandemic and the increasing demand for services) means that there is a degree of urgency. If Warwickshire is not included in the first phase of MHCLG's decision-making process, there is no certainty as to when local government reform in the County might be considered by MHCLG, and there is the potential for significant delay. Such delay would exacerbate the challenges referred to, which would be seriously prejudicial to the Council and the public interest.

Further, at the Council meeting on 22 September, the Council rejected an amendment to the motion which would have called for a delay in submitting the Case for Change, and therefore proceeding to take the proposed decision on an urgent basis is not inconsistent with the view expressed by full Council.

Would the recommended decision be contrary to the Budget and Policy Framework?
[please identify relevant plan/budget provision]

No

PART 2 (to be completed by the person giving consent)

Name	Councillor Adrian Warwick
Office Held	Chair of the Resources and Fire and Rescue Overview and Scrutiny Committee
Decision of the Chair of the OSC	<i>A.D. War</i>
Date	<i>25/09/2020</i>