

COUNCIL

DECISION DATE: THURSDAY, 11TH JUNE 2020,

DECISIONS TO BE TAKEN BY THE CHIEF EXECUTIVE UNDER EMERGENCY POWERS (RESPONSIBILITY FOR FUNCTIONS (APPENDIX 2 OF THE COUNCIL'S CONSTITUTION))

PROCEDURE FOR DECISIONS TO BE TAKEN IN EMERGENCY SITUATIONS

The procedure for Council decisions is enclosed.

1 EXCLUSION OF THE PUBLIC AND PRESS

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act.

By Virtue of Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information)
Condition:

Information is not exempt if it is required to be registered under-
The Companies Act 1985

The Friendly Societies Act 1974

The Friendly Societies Act 1992

The Industrial and Provident Societies Acts 1965 to 1978

The Building Societies Act 1986 (recorded in the public file of any building society, within the meaning of the Act)

The Charities Act 1993

Information is exempt to the extent that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Information is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town & Country Planning General Regulations 1992(a).

2 UNITS 1-2 ACKHURST ROAD, COMMON BANK INDUSTRIAL ESTATE, CHORLEY

(Pages 5 - 8)

To receive and consider the report of the Director of Commercial Services.

GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Council.

Meeting contact Ruth Rimmington on 01257 515118 or email ruth.rimmington@chorley.gov.uk

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

To view the procedure for public questions/ speaking click here

<https://democracy.chorley.gov.uk/documents/s67429/Appendix%203%20Standing%20Orders%20Aug%202016.pdf> and scroll to page 46

DELEGATED COUNCIL DECISIONS**PROCEDURE NOTE**

Background

Pursuant to the Council's Responsibility for Functions (Appendix 2 of the Council Constitution) in the event of urgency or emergency the Chief Executive may take decisions usually the responsibility of Full Council following consultation with the Leader and Deputy Leader of the Council.

This note will explain how this procedure will be followed.

Timing of Decisions

The Council will provide a list of decision dates. Where possible these dates will be on existing Full Council Meeting dates.

Decisions taken by the Chief Executive will be on these dates, other than in cases of urgency. (see provisions below).

Decision Making Agendas

Agendas for these decision-making dates will be prepared in the usual way and published on Modern.Gov.

Agendas will be supported by reports relating to the agenda items.

Agendas and reports will be published 5 working days prior to the decision-making date.

Member Representations

Members may make written representations in relation to each proposed decision.

Such decisions should be received by Democratic Services no later than 12 noon on the working day prior to the decision-making date.

Consultation with the Leader and Deputy Leader

The Chief Executive will consult with the Leader and Deputy Leader on the decision-making date.

Such Consultation can be either in writing or by telephone or teleconferencing.

Making the Decision

Following the Consultation the Chief Executive will make a decision to

1. Approve the recommendation(s); or

2. Refuse the recommendation(s); or
3. Approve an amended recommendation.

When making this decision the Chief Executive must consider both the representations received from members and any consultation response received from the Leader and Deputy Leader and document this consideration.

The Decision Note

The Decision Note will include:-

1. The Decision
2. Reasons for the decision
3. The Leader and Deputy Leaders Consultation Responses; and
4. The Chief Executives response to Member Representations.

Publication of the Decision

The Decision Note will be published as quickly as possible and no later than 12 noon on the day after the decision-making date.

Operation of the Decision

Generally, the decision will only become operative on publication. However, the Chief Executive may decide that the decision will have immediate effect. Where this applies the Chief Executive will state this in the written decision.

Urgency Provision

In accordance with the Constitution, where in the opinion of the Chief Executive the Decision should be taken urgently, they may disapply this procedure, either wholly or in part, and make the Decision without notice to Members or Consultation with the Leader and Deputy Leader.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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