

## Key decision items not included in the Forward Plan

Where a matter that is a key decision item has not been included in the Forward Plan, that decision may only be made where –

(1) the relevant Director has informed the Chairman of the relevant Policy/Overview and Scrutiny Panel or, if there is no such person, each Member of that Panel by notice in writing, of the matter about which the decision is to be made;

(2) the relevant Director has made a copy of that notice publicly available at the offices of the Council and on the Council's Website. A copy of the notice should also be sent to all councillors for information;

(3) at least five clear days have elapsed since the relevant Director complied with (1) and (2); and

(4) if (3) cannot be complied with then the decision can only be taken if the decision taker (if an individual), or the Chairman of the body making the decision, obtains the agreement of the Chairman of the relevant Policy/Overview and Scrutiny Panel that the taking of the decision is urgent and cannot be reasonably deferred. If there is no Chairman of the relevant Policy/Overview and Scrutiny Panel or if the Chairman of each relevant Policy/Overview and Scrutiny Panel is unable to act, then the agreement of the Chairman of the Council, or in his/her absence the Vice-Chairman, will suffice.

## Notice of a key decision on an item not in the Forward Plan

To Councillor John Crockford Hawley being the Chairman of the Strategic Planning & Economic Development Policy Scrutiny Panel.

A copy of this notice must be displayed at offices of the Council and published on the Council's website as soon as reasonably practicable after compliance with the above.

**Take notice** that it is intended that the Director of Development and Environment will make a key decision on:

**DE 19/20 DE 260** Summer Lane Flood Alleviation Scheme Contract Award Approval and Budget Increase. that has not been included in the Forward Plan and we are unable to comply with (3) above

Reasons why key decision was not included in the Forward Plan and why (3) above cannot be complied with

This decision is urgent following confirmation of price from our contractor which has resulted in an increase to the project budget which exceeds our previous expectations. We now require a key Executive Member decision to authorise the increase in budget which has not been included on the Forward Plan. Because the contract must be awarded by the end of 2019 we are unable to comply with the required 5 day advertising period before and after the decision is signed.

The full decision will be available to view here: <https://www.n-somerset.gov.uk/my-council/councillors/decisions/executive-member-decisions/2019-executive-member-decisions/december-2019-executive-member-decisions/>

Agreement of the Chairman of the Policy/Overview and Scrutiny Panel is required in accordance with (4) above

If agreement is required, the Chairman is requested to notify the Director accordingly:

I have had regard to and complied with (1) to (4) above.

If the item will also need to be considered as an urgent item, a reason for urgency will be required.

Reason for urgency (if applicable under (4) above) :as detailed above

Signed Lucy Shamali Director of Development and Environment

Date 18 / Dec / 19

Ref. – Constitution, Access to Information Procedure Rules, ss 14, 15.