

**Manchester City Council
Report for Information**

Report to: Council – 28 October 2020

Subject: Use of Emergency Powers and Urgent Key Decisions

Report of: City Solicitor

Purpose of report

To report those key decisions that have been taken in accordance with the urgency provisions in the Council's Constitution.

The report also includes resolutions of the Executive made under the emergency provision agreed by the Council on 25th March 2020 (minute CC/20/26)

Recommendation

To note the report.

Wards affected: All

Financial consequences for the Revenue budget

None

Financial consequences for the Capital Budget

None

Implications for:

Antipoverty
No

Equal Opportunities
No

Environment
No

Employment
No

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Background documents:

None.

1. Background

- 1.1 The Constitution (Overview and Scrutiny Procedure Rules) establishes a procedure for dealing with key decisions where action needs to be taken immediately for reasons of urgency, and is therefore not subject to the normal call in arrangements.
- 1.2 The procedures states that the chair of the appropriate scrutiny committee must agree that both the decision proposed is reasonable in all the circumstances, and to it being treated as a matter of urgency.
- 1.3 Such decisions are to be reported to the Council and are listed under Section 2 of this report.
- 1.4 At its meeting on 25 March 2020 the Council agreed specific arrangements that would ensure continuity of the Council's decision-making functions during the COVID-19 outbreak, with the risks that might arise from members and officers being unable to participate in council business. (See minute CC/20/26). A list of resolutions of the Executive made under the emergency provision can be found in Section 3 of this report.

2 Urgent Key Decisions taken since the last meeting of Council

2.1 A list of key decisions requiring exemption from the call in procedure that have been taken since the last meeting of Council is set out below.

Date	Subject	Reason for urgency	Decision Taken by	Approved by
25 March 2020	Approval to extend the contract for the provision of a Community Falls Service	The contract was due to expire on 31 March 2020. The Decision Maker sought to provide Manchester University NHS Foundation Trust (MFT) reassurance of continuity of service during a national emergency (COVID 19), and to provide some support for stability for a reasonable period of time at a time of national emergency.	Director of Public Health	Councillor Russell – Chair of Resources and Governance Scrutiny Committee
25 March 2020	Approval to extend the contract for the provision of Support to Female Sex Workers	The contract was due to expire on 31 March 2020. The Decision Maker sought to provide the provider, MASH (Manchester Action on Street Health), reassurance of continuity of service during a national emergency (COVID 19), and to provide some support for stability for a reasonable period of time. MASH are a small charity delivering valued critical health and support services to a vulnerable client group	Director of Public Health	Councillor Russell – Chair of Resources and Governance Scrutiny Committee
25 March 2020	Approval to extend the contract for the provision of a Health Visitor Service	The contract was due to expire. The Decision Maker sought to provide the provider reassurance of continuity of service during a national emergency (COVID 19), and to provide some support for stability for a reasonable period of time.	Director of Public Health	Councillor Russell – Chair of Resources and Governance Scrutiny Committee
25 March 2020	Approval to extend the	The contract was due to expire. The Decision Maker sought to provide the provider reassurance of	Director of Public Health	Councillor Russell – Chair of

	contract for the provision of School Health Service	continuity of service during a national emergency (COVID 19), and to provide some support for stability for a reasonable period of time.		Resources and Governance Scrutiny Committee
1 April 2020	Extension of the block contract with Standwalk for the period of 1/4/20 -31/3/21; as part of the Adults Contract Framework Extension	The contract had expired on 31st March 2020. The contract was in the process of being reviewed, however, due to current pandemic; COVID-19 this process was put on hold, hence agreement has been given for this to be extended for a further 12 months to 31st March 2021 as per the Adults Contract Extension Framework	Executive Director for Adult Services	Decision was taken under Emergency Planning Arrangements as a result of the COVID-19 pandemic.
1 April 2020	Extension of the block contract with Potens for the period of 1/4/20 -31/3/21; as part of the Adults Contract Framework Extension	The contract had expired on 31st March 2020. The contract was in the process of being reviewed, however, due to current pandemic; COVID-19 this process was put on hold, hence agreement has been given for this to be extended for a further 12 months to 31st March 2021 as per the Adults Contract Extension Framework	Executive Director for Adult Services	Decision was taken under Emergency Planning Arrangements as a result of the COVID-19 pandemic.
23 April 2020	Strategic Investment into a key asset in Greater Manchester	<p>There was an urgent requirement for the local authority to consider support to a key asset in Greater Manchester as a result of the global COVID-19 pandemic.</p> <p>The asset was of strategic economic and financial importance to Manchester, GM and the North West and provides a significant number of jobs to local residents. The delay would seriously prejudice the legal and financial position of the Council or the</p>	The Deputy Leader	Decision was taken under Emergency Planning Arrangements as a result of the COVID-19 pandemic.

		interests of the residents of Manchester.		
30 April 2020	Financial Measures to support the Care market through the COVID-19 Emergency Period	The COVID-19 response and associated financial plan was being progressed under Emergency Planning arrangements at the time of the decision. It was impractical to give 5 clear days' notice of the decision.	Executive Director for Adult Services	Decision was taken under Emergency Planning Arrangements as a result of the COVID-19 pandemic. The Executive Member for Adult Health and Wellbeing and the Executive Member for Finance and Human Resources were consulted.
1 October 2020	To extend the Public Spaces Protection Orders relating to alley gating for a period of up to 3 years	To allow the existing alley gating schemes to remain and therefore to help reduce crime and anti-social behaviour within the relevant areas	Strategic Director - Neighbourhoods	Councillor John Hacking (Chair of Communities and Equalities Scrutiny Committee)

3. Use of Emergency Urgency Powers

3.1 A list of resolutions made by the Executive under emergency powers, since the last meeting of Council is set out below

Executive 3 June 2020

To approve the virements over £0.5m between capital schemes to maximise use of funding resources available to the City Council.

To approve these changes to capital programme:

- a) Highways Services - Planned Maintenance carriageway works 2020/21. A capital budget virement of £0.999m, funded by Highways Project Delivery fund budget.
- b) Children's Services - Schools Capital Maintenance Programme for 2020/21. A capital budget virement of £5m, funded by Unallocated Schools Capital Maintenance budget.
- c) Growth and Development – The Factory. A capital budget virement of £10m, funded by unallocated Inflation.

Executive 3 July 2020

To approve these changes to capital programme:

- a) Children's Services - Hyde Road Secondary School. A capital budget virement of £2m is requested, funded by Unallocated Education Basic Needs budget.
- b) Growth and Development – Acquisition of Land at Red Bank. A capital budget virement of £1.705m, funded by Northern Gateway Budget

Executive 29 July 2020

To approve a change to the Revenue Budget allowing the use of £1m of reserves: £550k to support the demand from increased placement costs within the Learning Disability Service, a further £300k to support the immediate implementation of a Brokerage function to embed new commissioning arrangements resulting from the implementation of the Liquidlogic IT system; and a further £150k due to the demand diagnostics work which will support the future funding work for Adult Social Care in 2021/22.

To approve these changes to capital programme:

a) Children's Services – EBN Special Educational Needs and Disability (SEND) Programme Additional Costs. A capital budget virement of £0.923m, funded by unallocated Education Basic Needs Grant.

b) Neighbourhoods – Indoor Leisure – Abraham Moss. A capital budget virement of £2.7m, funded from the Inflation budget, funded by borrowing.

c) Neighbourhoods – Electric RCV Infrastructure – Additional costs. A capital budget increase of £0.150m, funded by borrowing.

d) Growth and Development – House of Sport. A capital budget increase of £8.420m, funded by borrowing on an invest-to-save basis.

Executive 9 September 2020

To approve this change to capital programme:

ICT – Early Years and Education System (EYES) Additional funding. A capital budget decrease of £0.661m with a corresponding revenue budget increase of £0.661m funded from Capital Fund.