

**Manchester City Council  
Report for Information**

**Report to:** Council – 20 March 2024

**Subject:** Urgent Key Decisions

**Report of:** The City Solicitor

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**Purpose of report**

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

**Recommendation**

To note the report.

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**Wards affected:** All

<b>Environmental Impact Assessment</b> - the impact of the decisions proposed in this report on achieving the zero-carbon target for the city
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N/A
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<b>Our Manchester Strategy outcomes</b>	<b>Contribution to the strategy</b>
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	N/A
A highly skilled city: world class and home-grown talent sustaining the city's economic success	N/A
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	N/A

A liveable and low carbon city: a destination of choice to live, visit, work	N/A
A connected city: world class infrastructure and connectivity to drive growth	N/A

**Full details are in the body of the report, along with any implications for**

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

**Financial consequences for the Revenue budget:**

None

**Financial consequences for the Capital Budget:**

None

**Contact officers:**

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**Background documents:**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy, please contact one of the contact officers above.

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.
- 2.** Such decisions are to be reported to the Council.

### 3. Urgent Key Decisions taken since the last meeting of Council

3.1 A list of key decisions requiring exemption from the call-in procedure that have been taken since the last meeting of Council is listed below.

<b>Date</b>	<b>Subject</b>	<b>Reason for urgency</b>	<b>Decision Taken by</b>	<b>Approved by</b>
15 January 2024	Determine the Council Tax element of the estimated Collection Fund 2023/24 year-end surplus of £2.1259m (of which £1.774 relates to the Council)	The calculation uses the most up to date information (i.e. 31 December 2023) which is not available until the end of the first week in January. Due to the statutory requirement to notify precepting authorities by 15 January 2024 (or first working day thereafter) it is requested the decision is exempt from call in. Following a report to Resources and Governance Scrutiny Committee on 7 December 2023 the Chair of the committee has agreed to exempt this decision from call in.	Deputy Chief Executive and City Treasurer	Councillor A Simcock – Chair of Resources and Governance Scrutiny Committee
15 January 2024	To approve the calculation of the Council's Council Tax income for 2024/25, with taxbase of 134,937.9	The calculation of the estimated Council Tax Base is finalised during January to support the key decision required. Due to the requirement to notify precepting authorities by 31 January 2024 it is requested that the decision is exempt from call in. Following a report to the Governance Scrutiny Committee on 7 December 2023 the Chair of the committee has agreed to exempt this decision from call-in.	Deputy Chief Executive and City Treasurer	Councillor A Simcock – Chair of Resources and Governance Scrutiny Committee
31 January 2024	Determine the Business Rates element of the estimated Collection Fund 2023/24 year-end surplus of £23.031m (22.801m relating to the Council)	The calculation of the estimated surplus or deficit is finalised using the latest data available during January to support the key decision. Due to the statutory requirement to notify precepting authorities by 31 January 2024 it is requested the decision is exempt from call in. Following a report	Deputy Chief Executive and City Treasurer	Councillor A Simcock – Chair of Resources and Governance Scrutiny Committee

		to Resources and Governance Scrutiny Committee on 7 December 2023 the chair of the committee has agreed to exempt this decision from call in.		
31 January 2024	Budget 2024/25 - The calculation of the Council's business rate income.	The calculation uses information from the Business Rates system to support the key decision. This is available mid to late January. Due to the statutory requirement to notify Central Government and the Greater Manchester Combined Authority (for the Fire and Rescue Service) by 31 January 2024 it is requested the decision is exempt from call in. Following a report to Resources and Governance Scrutiny Committee on 7 December 2023 the chair of the committee has agreed to exempt this decision from call in.	Deputy Chief Executive and City Treasurer	Councillor A Simcock – Chair of Resources and Governance Scrutiny Committee
28 February 2024	To enter into agreement with the UK gas supplier awarded Manchester's "Supply of Gas" Framework Agreement, (TC473), to supply gas to MCC's corporate estate, as well as to Manchester schools, colleges, and academies (subject to prior SLA agreement).	<p>Energy contract prices are dictated by the wholesale energy market, which can fluctuate within day. The Council therefore only has a short window to accept a schedule of rates (typically a few hours), and so we intend to use these urgency measures to ensure that we can conduct the call off contract in the best financial interests of the Council.</p> <p>Risks being minimised by the urgency process here include; being able to procure our energy requirements before market influences may cause disturbances to the wholesale market, which may result in higher contract costs for the Council.</p> <p>Retaining flexibility to react to market events, such as those in August 2022, which meant that suppliers (including incumbents) were no longer</p>	Deputy Chief Executive and City Treasurer	Councillor A Simcock – Chair of Resources and Governance Scrutiny Committee

		<p>able to offer supply contracts. The financial risk associated with this scenario would be severe (explained in more detail below).</p> <p>During such market events, any contracts that could be offered have historically had to be accepted within anywhere between an hour and a few minutes, which is infeasible to conduct with a full call-in period. While this effect has subsided in a notably calmer, bearish market, this can resume at suppliers' discretion.</p> <p>Given the proximity of the end of the current incumbent contract (31st March), any delay could be severe from a financial point of view. If alternative provision could not be made, then the Council would be subject to short term "deemed" or "out of contract" rates, which are prohibitively expensive.</p>		
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