

Report

Audit Committee

Part 1

Date: 24 May 2018

Subject **Standing Order 24 (Urgent Decisions) or Waiving of Contract Standing Orders Quarter 4: January to March 2018**

Purpose To inform Members of the use of Standing Order 24 or the Waiving of Contract Standing Orders in recent decisions taken by Cabinet and Cabinet Members.

Author Democratic Services Officer

Ward General

Summary This report provides details of decisions on the use of Standing Order 24 (decisions taken urgently) or the Waiving of Contract Standing Orders for the above period.

In consideration of this report, Members are reminded that they are not questioning the merits of the decisions taken but are focussing on why decisions were taken as urgent or why contract standing orders needed to be waived.

Proposal **The Committee is asked to consider whether the reasons for the urgency/waiving of contract standing orders are properly reflected in the documentation supporting each decision. Members may wish to invite Cabinet Members to attend a meeting of the Committee should they consider this not to be the case.**

Action by Audit Committee

Timetable Immediate

This report was prepared after consultation with:

- Head of Law & Regulation
- Head of Finance
- Chief Internal Auditor

Background

Details of the decisions taken by Cabinet/Cabinet Members during the above period are set out in the table below, together with a commentary from the Chief Internal Auditor. Copies of the report giving rise to the decision are attached.

In this section you must set out all necessary information to allow Councillors to take an informed decision. You will need to put forward the case to support your proposals.

Financial Summary

The cost implications of the decisions were set out in the original reports to the Cabinet Members. There are no cost implications of the Committee's consideration of this report.

Risks

Scrutiny of these matters by the Committee is an important means of ensuring that the reasons for the urgency or waiving of Contract Standing Orders were properly addressed in the decision making process and that decisions are transparent.

Options Available / Preferred Option and Why

The Committee is asked to consider whether the reasons for the urgency/waiving of contract standing orders are properly reflected in the documentation supporting each decision. Members may wish to invite Cabinet Members to attend a meeting of the Committee should they consider this not to be the case.

Comments of Chief Financial Officer

See original reports attached.

Comments of Monitoring Officer

See original reports attached.

Comments of Head of People and Business Change

See original reports attached.

Equalities Impact Assessment and the Equalities Act 2010

See original reports attached.

Children and Families (Wales) Measure

See original reports attached.

Wellbeing of Future Generations (Wales) Act 2015

See original reports attached.

Consultation

See original reports attached.

Subject	Decision & Date	Reason for Urgency/Reason to waive Contract Standing Orders	Comments of Chief Internal Auditor
Living Levels Landscape Partnership Heritage Lottery Fund Offer – Partnership Agreement	Cabinet Member for Regeneration & Housing and Cabinet Member for Streetscene 2 February 2018	<p>The Heritage Lottery Fund, through Big Lottery had a deadline of the 5 February 2018 in order to announce the award of £2.54 million to the Living Levels Scheme for which Newport City Council would be the major beneficiary. This would not be awarded unless they had a signed partnership agreement document from the Council on that day.</p>	<p>There is no clear justification for the urgency of this decision recorded in the papers presented. Although a deadline was set, a timeline of key events was not included in the papers to show when the Heritage Lottery Fund communicated with the Council to inform them of the potential of the funding.</p>
Michaelstone y Fedw Village Hall	Cabinet Member for Assets & Member Development 22 March 2018	<p>The Welsh Government had provided funding for installation of High Speed Broadband for communities at this location (MyFi). The project was underway and would entail installation of service hubs and 25 kilometres of cabling by the end of 2018. At Michaelstone y Fedw, the location of the server hub was within the subject land. This was the first element of the construction project and installation must start during the first week of April 2018. Based on discussion, the MyFi project had committed contractually and facilitating work would start physically before the end of February 2018. To protect both parties and to facilitate the Broadband installation, it would be necessary to complete the new lease before the facilitating work commenced.</p>	<p>There is no clear justification for the urgency of this decision recorded in the papers presented. A timeline of key events for the project programme was not included in the papers.</p>
Town Centre Repayable Scheme	Chair Cabinet 28 March 2018	<p>This report was considered urgent due to the imminent deadline for allocation of the Town Centre Repayable Funding to a scheme within the city centre. If the funding was not allocated to a scheme by the 31 March, the funding would have to be either returned to the Welsh Government or a partner local authority, with the result that the potential investment would be lost to Newport.</p>	<p>There is no clear justification for the urgency of this decision recorded in the papers presented.</p> <p>Although comments including “pressure on timescales to allocate the limited funding available”; “Due to the restricted timescale, the first cycle”; “The funding is available for a limited window” have been stated within</p>

			the supporting papers, no actual dates or timelines have been included stating when communications were had or decisions taken within this process.
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Background Papers

The following documentation is provided as background to the above decisions:

Cabinet Member for Regeneration & Housing and Cabinet Member for Streetscene – 2 February 2018

Living Levels Landscape Partnership Heritage Lottery Fund Offer – Partnership Agreement

- Decision Schedule attached as **Appendix A**;
- Report attached as **Appendix B**

Cabinet Member for Assets & Member Development – 22 March 2018

Michaelstone y Fedw Village Hall

- Decision Schedule attached as **Appendix C**
- Report attached as **Appendix D**

Chair of the Cabinet – 28 March 2018 – 28 March 2018

Town Centre Repayable Scheme

- Decision Schedule attached as **Appendix E**
- Report attached as **Appendix F**

Dated: 24 May 2018