

1 Purpose of report

1.1 To inform the committee of three uses of urgent action powers.

2 Executive summary

2.1 Actions which could not reasonably have been delayed for a decision of this committee have been taken in respect of three matters. These matters are appointment of a proxy to vote on behalf of the Council as shareholder at the annual general meeting of Wellingborough Homes; the introduction of fees to enable implementation of licensing arrangements under the Scrap Metal Dealers Act 2013 so as to not prejudice continued legal operation of scrap metal dealing and collection services by current service providers; and the continued provision of support to the W3 bus service for a period of three months.

3 Appendices

Appendix A – Request for Urgent Action – Wellingborough Homes AGM

Appendix B – Request for Urgent Action – Scrap Metal Dealer and Collector Licence Fees

Appendix C – Request for Urgent Action – W3 Bus Service

4 Proposed action:

4.1 The committee is invited to RESOLVE to note the Urgent Actions taken.

5 Background

5.1 The Council's constitution provides a mechanism at paragraph 3.4.09 for use in cases where action is urgently needed and cannot be reasonably delayed for a decision of the Council or any of its committees.

5.2 The use of urgent action powers by the relevant officer is subject to consultation with the chairman of the relevant policy committee.

5.3 The use of urgent action powers must be reported to the next meeting of the relevant committee.

6 Discussion

6.1 The reasons why urgent actions were necessary in these cases are set out in Appendices A, B and C.

7 Legal powers

7.1 The Local Government Act 1972 permits a local authority to put in place a scheme of arrangements whereby decision making authority may be delegated to committees, sub-committees and officers.

8 Financial and value for money implications

8.1 There are no such implications arising from this report.

9 Risk analysis

9.1 Normally a risk table is completed for any report setting out a proposed course of action. This is not appropriate here so the table has not been completed.

10 Implications for resources

10.1 There are no such implications arising from this report.

11 Implications for stronger and safer communities

11.1 There are no such implications arising from this report.

12 Implications for equalities

12.1 There are no such implications arising from this report.

13 Author and contact officer

13.1 Chris Pittman, Head of Community

14 Consultees




14.1 None

15 Background papers

None

REQUEST FOR URGENT ACTION




(In accordance with Section 3.4.09 of the Constitution)

REPORTING COMMITTEE: RESOURCES
DATE OF NEXT MEETING: 30 OCTOBER 2013 (AGENDA ALREADY PUBLISHED FOR THE MEETING OF THE COMMITTEE ON 18 SEPTEMBER 2013)
PURPOSE OF REPORT: TO APPOINT CLLR HIGGINS AS PROXY TO VOTE ON BEHALF OF THE COUNCIL AS A SHAREHOLDER AT THE AGM OF WELLINGBOROUGH HOMES LIMITED ON 12 SEPTEMBER 2013. TO INSTRUCT THE PROXY TO VOTE IN FAVOUR OF: <ol style="list-style-type: none">1. THE ELECTION OF THE PERSONS PUT FORWARD FOR ELECTION AS INDEPENDENT MEMBERS OF THE BOARD OF DIRECTORS OF WELLINGBOROUGH HOMES LIMITED2. APPROVAL OF THE ANNUAL REPORT FOR WELLINGBOROUGH HOMES LIMITED FOR THE PERIOD TO 31 MARCH 20133. THE APPOINTMENT OF THE PERSON PROPOSED BE APPOINTED AUDITOR TO WELLINGBOROUGH HOMES LIMITED
REASON FOR URGENCY: THE AGM OF WELLINGBOROUGH HOMES LIMITED TAKES PLACE ON 12 SEPTEMBER 2013. INSUFFICIENT TIME IS THEREFORE AVAILBLE TO SEEK APPROVAL FROM THE RESOURCES COMMITTEE AS TO THE IDENTITY OF THE PROXY AND THE INSTRUCTIONS TO BE GIVEN TO THE PROXY.
KEY FACTS: THE COUNCIL IS A SHAREHOLDER OF WELLINGBOROUGH HOMES LIMITED AND AS A RESULT IS ENTITLED TO VOTE ON RESOLUTIONS PUT FORWARD FOR CONSIDERATION AT ANNUAL AND SPECIAL GENERAL MEETINGS OF THE COMPANY. DECISIONS ON THIS MATTER ARE NOT RESERVED TO FULL COUNCIL. THE RESOURCES COMMITTEE HAS DELEGATED TO IT THE POWER TO EXERCISE ALL FUNCTIONS OF THE COUNCIL NOT SPECIFICALLY DELEGATED ELSEWHERE OR RESERVED TO FULL COUNCIL (PARA 3.3.01 C OF THE CONSTITUTION). THE NATURE OF THE DECISIONS REQUIRED DOES NOT ENGAGE ONE OF THE PROHIBITIONS TO USE OF DELEGATED POWERS.
FINANCIAL IMPLICATIONS (SEE BELOW): NONE
SIGNATURES: <ul style="list-style-type: none">• REPORT AUTHOR:  DATE: 10th Sept. 2013• CORPORATE DIRECTOR:  DATE:• CHAIRMAN/VICE-CHAIRMAN OF COMMITTEE:  DATE: 10/9/2013
IF FINANCIAL IMPLICATIONS SIGNATURE OF: <ul style="list-style-type: none">• CHAIRMAN/VICE-CHAIRMAN OF RESOURCES COMMITTEE: DATE:

NB: To comply with the Constitution this signed urgent action pro forma must be attached to a report to the next meeting of the Committee concerned.

REQUEST FOR URGENT ACTION

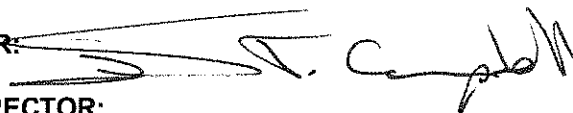
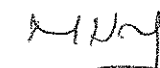


(In accordance with Section 3.4.09 of the Constitution)

REPORTING COMMITTEE: RESOURCES
DATE OF NEXT MEETING: 30 OCTOBER 2013
PURPOSE OF REPORT: 1. TO SET THE FEE OF £325.00 FOR A SCRAP METAL DEALERS SITE LICENCE AND THE FEE OF £240.00 FOR A SCRAP METAL DEALERS COLLECTORS LICENCE UNDER THE SCRAP METAL DEALERS ACT 2013
REASON FOR URGENCY: THE SCRAP METAL DEALERS ACT 2013 ("THE ACT") COMES INTO EFFECT FROM 1 OCTOBER 2013, BUT WITH A TRANSITIONAL PERIOD TO ENABLE COUNCILS TO PROCESS APPLICATIONS WITHOUT EXISTING BUSINESSES NOW REQUIRING A SITE OR COLLECTORS LICENCE BEING IN A POSITION WHERE THEY CANNOT OPERATE. ANY DEALER CURRENTLY REGISTERED UNDER THE 1964 SCRAP METAL DEALERS ACT, OR A MOTOR SALVAGE OPERATOR ALREADY REGISTERED UNDER THE 2001 VEHICLES (CRIME) ACT, WILL BE DEEMED TO HAVE A LICENCE UNDER THE 2013 ACT UNTIL THE COUNCIL GRANTS A LICENCE OR SENDS THE DEALER NOTICE OF ITS DECISION TO REFUSE THE LICENCE, PROVIDED THEY SUBMIT AN APPLICATION ON OR BEFORE THE 15 OCTOBER. IF THEY DO NOT SUBMIT AN APPLICATION THEIR DEEMED LICENCE WILL LAPSE ON 16 OCTOBER. SCHEDULE 1(6) OF THE 2013 ACT PROVIDES THAT AN APPLICATION MUST BE ACCOMPANIED BY A FEE SET BY THE AUTHORITY SO IT IS NOT POSSIBLE FOR AFFECTED BUSINESSES TO SUBMIT A VALID APPLICATION WITHOUT A FEE.
KEY FACTS: SECTION ONE OF THE ACT REQUIRES A SCRAP METAL DEALER TO OBTAIN A LICENCE IN ORDER TO CARRY ON BUSINESS AS A SCRAP METAL DEALER. IT WILL BE AN OFFENCE TO CARRY ON A BUSINESS AS A SCRAP METAL DEALER IN BREACH OF THE REQUIREMENT TO HOLD A LICENCE. THIS OFFENCE IS PUNISHABLE ON SUMMARY CONVICTION WITH A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE. THERE ARE SIX BUSINESSES IDENTIFIED AS BEING AFFECTED BY THE TRANSITIONAL ARRANGEMENT. THE ACT CREATES A FEE RAISING POWER, TO ALLOW LOCAL AUTHORITIES TO RECOVER THE COSTS STEMMING FROM ADMINISTERING AND SEEKING COMPLIANCE WITH THE REGIME. THE FEE HAS BEEN CALCULATED ON A COST RECOVERY BASIS IN ACCORDANCE WITH THE STATUTORY GUIDANCE. THE CALCULATION HAS BEEN CHECKED BY THE COUNCIL'S FINANCIAL SERVICES TEAM. THE FEE WILL BE REVIEWED PERIODICALLY TO ENSURE THAT COSTS ARE RECOVERED. THE NATURE OF THE DECISIONS REQUIRED DOES NOT ENGAGE ONE OF THE PROHIBITIONS TO USE OF DELEGATED POWERS.
FINANCIAL IMPLICATIONS (SEE BELOW): NONE AS THE FEE HAS BEEN CALCULATED ON A COST RECOVERY BASIS.
SIGNATURES: <ul style="list-style-type: none">• REPORT AUTHOR: • CHRIS PITTMAN, HEAD OF COMMUNITY DATE: 19.09.2013• CORPORATE DIRECTOR:  DATE: 23/9/13• CHAIRMAN/VICE-CHAIRMAN OF COMMITTEE: DATE:
IF FINANCIAL IMPLICATIONS SIGNATURE OF: <ul style="list-style-type: none">• CHAIRMAN/VICE-CHAIRMAN OF RESOURCES COMMITTEE:  DATE: 24/9/13

NB: To comply with the Constitution this signed urgent action pro forma must be attached to a report to the next meeting of the Committee concerned.

REQUEST FOR URGENT ACTION

(In accordance with Section 3.4.09 of the Constitution)

REPORTING COMMITTEE: RESOURCES
DATE OF NEXT MEETING: 30 OCTOBER 2013
<p>PURPOSE OF REPORT:</p> <p>TO EXTEND THE FINANCIAL SUPPORT GIVEN TO THE W3 BUS SERVICE FOR A PERIOD OF THREE MONTHS TO 14 JANUARY 2014. IT IS ESTIMATED THAT THIS WOULD COST IN THE ORDER OF £12,000.</p>
<p>REASON FOR URGENCY: THE CURRENT ARRANGEMENT IN PLACE FOR THE W3 BUS ROUTE EXPIRED ON 14 OCTOBER 2013.</p>
<p>KEY FACTS:</p> <p>THE RESOURCES COMMITTEE RESOLVED ON 19 SEPTEMBER 2012 TO PROVIDE FINANCIAL SUPPORT IN THE SUM OF £47,750 TO ENABLE THE W3 BUS SERVICE TO CONTINUE OPERATING ADDITIONAL PEAK HOURS SERVICES FOR A FURTHER 12 MONTH PERIOD COMMENCING ON 15 OCTOBER 2012.</p> <p>IT WAS ORIGINALLY RESOLVED THAT THE COUNCIL WOULD PROVIDE THE SUPPORT FROM ITS OWN RESOURCES BUT THE COUNCIL SECURED THE AGREEMENT OF NORTHAMPTONSHIRE COUNTY COUNCIL TO MEET THE COST FROM FUNDS THAT ACCUMULATE FROM THE REMOVAL OF COUNCIL TAX DISCOUNTS RELATING TO SECOND HOMES AND EMPTY HOMES ALLOCATED TO THE COUNTY COUNCIL AS THE ACTIVITY TO BE FUNDED MET THE CRITERIA FOR SUPPORT FROM THAT SOURCE. THE ADDITIONAL FUNDING WILL COME FROM THE SAME SOURCE. ACCORDINGLY, THERE WILL BE NO UNBUDGETED EXPENDITURE REQUIRED ON THE PART OF THE COUNCIL.</p> <p>THE NATURE OF THE DECISIONS REQUIRED DOES NOT ENGAGE ONE OF THE PROHIBITIONS TO USE OF DELEGATED POWERS.</p> <p>THE ORIGINAL EQUALITIES IMPACT ASSESSMENT HAS BEEN REVIEWED AND FOUND TO REMAIN VALID.</p>
<p>FINANCIAL IMPLICATIONS (SEE BELOW):</p> <p>NONE AS THE FUNDING WILL, BY AGREEMENT WITH NORTHAMPTONSHIRE COUNTY COUNCIL, COME FROM MONIES HELD BY THE COUNCIL ON BEHALF OF NORTHAMPTONSHIRE COUNTY COUNCIL.</p>
<p>SIGNATURES:</p> <ul style="list-style-type: none"> • REPORT AUTHOR:  DATE: 15th Oct. 2013 • CORPORATE DIRECTOR:  DATE: .. • CHAIRMAN/VICE-CHAIRMAN OF COMMITTEE:  DATE: ..
<p>IF FINANCIAL IMPLICATIONS SIGNATURE OF:</p> <ul style="list-style-type: none"> • CHAIRMAN/VICE-CHAIRMAN OF RESOURCES COMMITTEE:  DATE: ..

NB: To comply with the Constitution this signed urgent action pro forma must be attached to a report to the next meeting of the Committee concerned.

