

Brighton & Hove City Council

Council

Agenda Item 48

Subject: Decisions on Executive Functions taken under Urgency Procedures

Date of meeting: 24 October 2024

Report of: Chief Executive

Contact Officer: Name: Anthony Soyinka
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Ward(s) affected: All

For general release

1. Purpose of the report and policy context

1.1 This report sets out details of decisions taken under urgency procedure rules in accordance with the provisions of Part 3E, Section 17 of the Councils Constitution.

2. Recommendations

2.1 That Council note the decisions taken under urgency procedures at Section 4 of the report.

3. Context and background information

3.1 In accordance with the Access to Information Procedure Rules (Rule 18), Part 3E of the Council's constitution and paragraph 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the use of the Special Urgency procedure in relation to Executive decisions is to be reported quarterly to Council for noting.

4. Decisions taken under special urgency procedures

4.1 In the last quarter, Cabinet has taken two decisions using the Special Urgency procedure. The meetings took place in public on 18 July 2024 and 12 August 2024 and the reports and subsequent decisions were published on the Council's website in accordance with the Council's Executive Procedure Rules.

The decision taken are set out below for information.

4.1.1 Title: Commercial Property Lettings: 18 July 2024

[Brighton & Hove City Council - Decision - Commercial Property Lettings \(brighton-hove.gov.uk\)](#)

Decision:

- 1) Cabinet agreed to the completion of two commercial leases and delegated authority to the Corporate Director City Services and the Assistant Director Legal and Democratic Services in consultation with the Cabinet Member to approve terms and take the necessary steps to complete the transactions.

Reasons for Urgency:

The reasons for urgency as set out in the report were:

In respect of Café Unit at Outdoor Sports Hub, Kingsway, Heads of Terms for the lease are agreed and practical completion of the property is due on 6 September 2024. As a Key Decision the lease cannot complete until Cabinet agrees the recommendation. A delay to the lease completion would leave the building sitting vacant beyond practical completion at cost to the council. In addition, any delay to the lease completion will delay the council's public announcement about the tenant and the café's occupation.

4.1.2 Title: Madeira Terrace Procurement Update: 12 August 2024

[Brighton & Hove City Council - Decision - Madeira Terrace Procurement Update \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/decision/madeira-terrace-procurement-update)

Decision:

- 1) Cabinet agreed an additional £3.0m budget to be included within the general fund Capital Investment Programme to complete the Phase 1 Madeira Terrace Project.
- 2) Cabinet delegated authority to the Corporate Director – City Services to take all steps necessary to procure and appoint a Construction Partner for the Phase 1 Madeira Terrace Project as outlined in the body of the report.

Reasons for Urgency:

The reasons for urgency as set out in the report were:

That ongoing negotiations and pricing of the contract for Madeira Terraces have required this late report The Corporate Director cannot exercise her delegated authority to proceed with the award of the contract contemplated by this report until Cabinet agrees the recommendation in this report which is a Key Decision.

5. Analysis and consideration of alternative options

5.1 This report is for noting only. The decisions have been made and implemented. The decisions made pursuant to the urgency delegation are required to be reported to Council.

6. Community engagement and consultation

6.1 None for the purpose of this report.

7. Financial implications

7.1 There are no resource implications of this report, which is for noting. The resource implications of each particular decision are set out in the respective decision reports.

Finance Officer: Nigel Manvell

Date: 16.10.24

8. Legal implications

8.1 There are no legal implications of this report. The legal implications in respect of each decision are set out in the decision reports. The Council's Constitution requires Cabinet decisions taken under Special Urgency provisions to be reported back to Council for noting on a quarterly basis.

Lawyer: Elizabeth Culbert

Date: 16.10.24

9. Equalities implications

9.1 None for the purpose of this report.

10. Sustainability implications

10.1 None for the purpose of this report.

11. Conclusion

11.1 This document reports to Council the urgent decisions taken by Cabinet, Council is asked to formally note this report.

Supporting Documentation

12. Background Papers

Decision: [Brighton & Hove City Council - Decision - Commercial Property Lettings \(brighton-hove.gov.uk\)](#)

[Brighton & Hove City Council - Decision - Madeira Terrace Procurement Update \(brighton-hove.gov.uk\)](#)

