

Resources Department
Town Hall, Upper Street

Report of: Director of Law and Governance and Monitoring Officer

Meeting of: Executive

Date: 1 September 2022

Ward(s): All

Subject: Monitoring Report September 2022

1. Synopsis

- 1.1 Paragraph 8.9 in the Part 3 of the Council's Constitution authorises Corporate Directors to take decisions that would ordinarily be reserved to the Executive, where the matter is urgent and delay would seriously prejudice the interest of the Council or of the public.
- 1.2 Paragraph 8.10 in Part 3 of the Council's Constitution requires that any decisions made under the above provisions are reported to the next meeting of the Executive.
- 1.3 The Director Climate Change and Transport, acting on authority granted by the Corporate Director Environment effective during his absence, made a decision using the urgency procedures to 'Issue of a contract modification notice for the council's energy supply contracts' on 1 August 2022. Advance notice of our intention to take the decision was not published and call-in was waived.
- 1.4 The decision was considered urgent due to the sharp rise in energy prices since mid-June 2022 and the current forecast costs of purchasing energy for winter 2022. Further information is available in the decision report, which is attached as an appendix to this report.

2. Recommendations

- 2.1. To note the decision detailed in paragraph 3.3 of this report and the attached appendix.

3. Background

- 3.1. In accordance with the Constitution, the Chief Executive, Corporate Directors and Chief Finance Officer are authorised to take decisions where the matter is urgent. If the decision concerns an executive function, or it has not been possible to comply with the statutory notice period or call-in has been waived, the exercise of authority under that provision must be reported to the next available meeting of the Executive.
- 3.2. Director Climate Change and Transport was authorised by the Corporate Director Environment to take key decisions during his absence in accordance with paragraph 8.14 in Part 3 of the Constitution.
- 3.3. The following decision is notified to the Executive for information:

‘To approve the publication of a contract modification notice regarding the increase in value of the energy supply contracts from £48m to £64m.’

The relevant report is published on the Democracy Website ([here](#)) and attached to this report as an Appendix.

4. Implications

- 4.1.1. The implications are detailed within the attached appendix.

5. Conclusion and reasons for recommendations

- 5.1. To comply with the rules in the Council’s Constitution, the Executive are asked to note the decision made using the urgency provisions.

Appendix:

- Decision report: ‘Issue of a contract modification notice for the council’s energy supply contracts’.

Background papers:

- None

Final report clearance:

Signed by:



Director of Law and Governance and Monitoring Officer

Date: 18 August 2022

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