



REDCAR & CLEVELAND FORWARD PLAN

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INTRODUCTION

The Local Authorities (Executive Arrangements) Meetings and Access to Information (England) Regulations 2012 require the Council to produce a notice of all key and confidential decisions at least 28 clear days in advance of the meeting at which those decisions will be made.

A key decision is defined as:

“Any decision in relation to an executive function which results in the local authority incurring expenditure which is, or the making of savings, which are, significant having regard to the local authority’s budget for the service or functions to which the decision relates”

and/or

“which is likely to have a significant impact on two or more wards.”

The value of a financial key decision is subject to local determination and for the purposes of this Council it shall be £250,000 gross expenditure or income.

A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules set out in Part 4 of the Council Constitution.

Under the regulations, a notice of any decisions that will be made in private must also be published at least 28 clear days in advance of a meeting. This applies whether they are key decisions or not. Members of the public are entitled to make representations to challenge the decision to hold a meeting in private and the Council will publish details of those representations and its responses.

Please note: the decision is subject to change and Scrutiny & Improvement Committees may request to review any entry in the Forward Plan prior to the expected decision date.

PROCEDURE BEFORE TAKING KEY OR CONFIDENTIAL DECISIONS

A key or confidential decision may not be taken unless:

- (a) a notice (called here a Forward Plan) has been published in connection with the matter in question;
- (b) at least 28 clear days have elapsed since the publication of the forward plan; and
- (c) where the decision is to be taken at a meeting of the Cabinet or its committees, notice of the meeting has been given in accordance with Rule 6 (notice of meetings).

THE FORWARD PLAN

The forward plan contains matters which the Leader has reason to believe will be subject of a key or confidential decision to be taken by the Cabinet, a committee of the Cabinet, individual members of the Cabinet, officers, area committees or under joint arrangements in the course of the discharge of an executive function during the period covered by the plan.

The plan is arranged in sections according to the directorate of the Council which has responsibility for advising the Cabinet and Council on the relevant topic.

- Section 1 **Adult and Communities directorate (AC)**
- Section 2 **Children and Families directorate (CF)**
- Section 3 **Growth, Enterprise & Environment (GEE)**
- Section 4 **Resources directorate (RD)**

Each entry includes as much information as is available at the time of production of the Forward Plan in respect of the following:

- a) the matter in respect of which a decision is to be made:
- b) where the decision taken is an individual, his/her name and title, if any and where the decision taker is a body, its name and details of membership;
- c) the date on which, or the period within which, the decision will be taken;

- d) the identity of the principal groups whom the decision taker proposes to consult before taking the decision; and the means by which any such consultation is proposed to be undertaken;
- e) the steps any person might take who wishes to make representations to the Cabinet or decision taker about the matter in respect of which the decision is to be made, and the date by which those steps must be taken; and
- f) whether or not the decision is considered to be confidential and the reason for that confidentiality as defined under Schedule 12A of the Local Government Act 1972 (as amended).
- g) a list of other supporting documents submitted to the decision taker for consideration in relation to the matter.

The forward plan must be published at least 28 days in advance of the meeting where the decision will be taken. Exempt information need not be included in a forward plan and confidential information cannot be included.

The forward plan will be published on the Council's website. Copies of the plan and any of the documents listed, subject to any prohibition or restriction on their disclosure, can be inspected at the Council offices by contacting:

Democratic Services
Redcar and Cleveland Borough Council
Redcar and Cleveland Leisure and Community Heart
Ridley Street
Redcar
TS10 1TD
01642 444413

GENERAL EXCEPTION

If a matter which is likely to be a key decision has not been included in the forward plan, then subject to Rule 16 (special urgency), the decision may still be taken if;

- a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;
- b) the proper officer has informed the chair of a relevant overview and scrutiny committee, or if there is no such person, each member of that committee in writing, by notice, of the matter to which the decision is to be made;
- c) the proper officer office has made copies of that notice available to the public at the offices of the Council; and
- d) at least 5 clear days have elapsed since the proper officer complied with (a) and (b).

Where such a decision is taken collectively, it must be taken in public.

SPECIAL URGENCY

If by virtue of the date by which a decision must be taken Rule 3 15 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the chair of the body making the decision, obtains the agreement of the chair of a relevant overview and scrutiny committee that the taking of the decision cannot be reasonably deferred.

If there is no chair of a relevant overview and scrutiny committee, or if the chair of each relevant overview and scrutiny committee is unable to act, then the agreement of the Mayor or in his/her absence the Deputy Mayor will suffice.

Title and nature of the decision	Who will make the decision and when will the decision be taken	Who will be consulted and how	Supporting documentation	How and by when to make representations	Is this a Key Decision	Open / Exempt (and reason if the decision is to be taken in private)
<p>Investment in Our Schools 2024-25 To approve a programme of works to the Council's maintained schools estate for 2024/25 for the purposes of tackling backlog maintenance and to outline projects being considered for future investment to provide additional pupil capacity'</p>	<p>Cabinet 30 Apr 2024</p>	<p>Maintained schools, relevant technical officers and surveyors, officers in various teams in Children's and Families and Growth, Enterprise and Environment directorates. Various methods of consultation.</p>		<p>Representations should be made to: Ian Dunn</p> <p>First published in Forward Plan: February 2024</p>	<p>Yes</p>	<p>Open</p>