



**COMMITTEE SECTION ONLY**

Decision No:	<u>DPH01</u>
Notification Date:	<u>07/11/14</u>
Implementation Date: (unless called in)	<u>07/11/14</u>
Call-in:	<u>No</u>

**Notice of Decision Taken by Portfolio Holder/Leader of the Council  
Between Meetings of the Cabinet**

*(Please read the attached guidance notes before completing this notice)*

**A. Decision taken by:** Councillor Nicholas Kenton, Portfolio Holder for Environment, Waste and Planning

**B. Part of the Constitution authorising decision:**

Paragraph 4 (Budget and Policy Framework Procedure Rules) of Part 4 (Rules of Procedure) of the Constitution

**C. (a) Subject (including whether it is a Key Decision and included within the Notice of Forthcoming Key Decisions):**

Bid submission to the Department of Communities and Local Government (DCLG) for implementation of a Recycling Reward Scheme.

This is a Key Decision which does not appear in the Notice of Forthcoming Key Decisions.

**(b) Is the decision likely to disclose exempt information?**

No

**D. Decision:**

To apply to the DCLG for funding to implement a Recycling Reward Scheme across the Dover district in partnership with Shepway District Council.

**E. Reason(s) for decision (including why the decision cannot wait until the next meeting of Cabinet (or Council where appropriate)):**

The bid needs to be submitted to DCLG by 5.00 pm on Friday 7 November 2014. Please see attached report.

**F. Details of alternative options considered and rejected:**

To not submit a bid.

**G. Any interest declared by the decision-taker or any Executive Member who is**

**consulted by the decision-taker:**

None.

**H. Where a conflict of interest has been declared, details of any dispensation granted by the Monitoring Officer:**

None.

**I. Background Documents:**

Report (attached).

**J. Decisions within the Budget or Policy Framework taken by the Portfolio Holder (or Leader of the Council) between Meetings of the Cabinet (Part 3, Section 3C, paragraph 13 - General Responsibilities Delegated to All Members of the Executive)**

I confirm that the decision-taker has taken the decision in consultation with me.

Not applicable.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
(Leader of the Council or Deputy)

**K. Decisions outside the Budget or Policy Framework taken by the Portfolio Holder (or Leader of the Council) between Meetings of the Council (Part 4, paragraph 4 – Budget and Policy Framework Procedure Rules)**

Please give reasons why it is not practical to convene a quorate meeting of the Council or General Purposes Committee to take the decision.

**The deadline for submission of the bid to DCLG is 5.00pm on 7 November 2014.**

I have given my consent to the decision being taken as a matter of urgency.

Signed \_\_\_\_\_ Dated: \_\_\_\_\_  
(Chairman of the relevant Scrutiny Committee)

**L. Urgent decisions not subject to call-in**

I confirm that this decision is an urgent one and should not, therefore, be subject to call-in.

Yes/No

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
(Decision-taker)

On the advice of the decision-taker, I agree that the decision is reasonable in all the circumstances and, as a matter of urgency, should not be subject to call-in.

Yes/No

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_  
(Chairman/Vice-Chairman/Head of Paid Service or their nominee)

(Please note that M-O relate to Key Decisions not in the Notice of Forthcoming Key Decisions (Part 4; Rules 15 and 16 of the Access to Information Procedure Rules))

**M. Reason(s) for General Exception/Special Urgency (i.e. why the decision was not included in the current Notice of Forthcoming Key Decisions and why it would be impracticable to defer the decision until the period covered by the next Notice)**

Due to timescales of submitting the bid to the DCLG the decision was not included in the current Notice of Forthcoming Key Decisions and cannot be deferred as submission needs to be made by 5.00pm on Friday 7 November 2014.

**N. Notice of use of General Exception Procedure (to be followed where at least five clear days will have elapsed between issuing a General Exception Notice and informing the Chairman of the relevant Scrutiny Committee, and the Key Decision being taken)**

I have informed the Chairman of the relevant Scrutiny Committee.

**Not applicable.**

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

**O. Agreement to use of Special Urgency Procedure (to be followed where it is not possible to give five clear days' notice that a Key Decision will be taken)**

I agree that the taking of the decision cannot reasonably be deferred.

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

(Chairman of the relevant Scrutiny Committee)

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

(Decision-Taker)

## Guidance Notes for Completion of a Notice of Decision Taken by the Portfolio Holder or Leader of the Council between Meetings of the Cabinet

- (1) The Decision Notice should be clear, concise and capable of immediate publication by the Democratic Services Manager.
- (2) It must include the following information:
  - A Details of the decision-taker (i.e. Portfolio Holder or Leader of the Council).
  - B Part of the Constitution authorising decision. Where the decision is one which would normally be taken by the Cabinet, Part 3 (Responsibility for Functions); Section 3C; paragraph 13 (Responsibility for Executive Functions) will apply. Where the decision is outside the Budget or Policy Framework and would therefore normally be taken by the Council, Part 4 (Rules of Procedure); paragraph 4 (Budget and Policy Framework Procedure Rules) will apply.
  - C
    - (a) State the subject of the decision and whether it is a Key Decision (Part 2 (Articles of the Constitution); Article 13.03 – Decision-Making). A Key Decision is defined as any executive (i.e. Cabinet) decision that:
      - results in the Council incurring expenditure which is, or savings which are, significant (£200,000 or more) having regard to the Council's budget for the service or function to which the budget relates;
      - is significant in terms of its effects on communities living or working in an area comprising two or more wards in the District; or
      - has a particularly significant impact on any community as experiencing social exclusion or discrimination, whether geography or interest defines that community and even if that community is only located in one ward in the area of the local authority.
    - (b) If the decision relates to an exempt item, please specify the relevant paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972 which applies. Exempt information is information relating to any individual or organisation, or information which is likely to reveal the identity of an individual, or the financial or business affairs of any person. There are other categories of exempt information and these are described in paragraph 10.4 of Part 4 (Access to Information Procedure Rules) of the Constitution. Advice should be sought from the Monitoring Officer or the Democratic Support Section if you are in doubt about which paragraph of the Local Government Act 1972 applies.
  - D Please provide full details of the decision taken.
  - E Reasons for the decision, including why it cannot wait until the next meeting of Cabinet (or Council where appropriate).
  - F Any alternative options considered and rejected at the time the decision was made.
  - G Details of any interest declared by the decision-taker or any Executive Member consulted.
  - H Details of any dispensation granted by the Monitoring Officer in the event of a conflict of interest having been declared.
  - I Please provide details of report(s) and other documents which disclose any facts or matters on which the report(s) is based, and which have been relied upon to a significant extent to prepare the report(s). These must be made available for