

All necessary decisions in cases of emergency

Under paragraph 3.7.9 of the constitution the chief executive is authorised to take necessary decisions in cases of emergency.

‘All necessary decisions’ includes decisions to take such action as is necessary within the law to protect life, health, safety, the economic, social or environmental wellbeing of the county, its communities and individuals living, working or visiting, and to preserve property belonging to the council or others.

An emergency is defined as any situation in which the chief executive believes that there is a risk of damage to property, a threat to the health or wellbeing of an individual, or that the interests of the council may be compromised.

In the chief executives scheme of delegation emergency decisions are delegated to the chief executive and directors. Before exercising this delegated authority any officer shall use their endeavours if, in their opinion, time or circumstances permit, to consult the Leader, or, in their absence, the appropriate cabinet member, and the chairman of the relevant scrutiny committee and in any case, inform them of their actions as soon as practicable.

Since the beginning of 2020 there have been 2 emergencies: the February 2020 floods and the coronavirus pandemic. Schedules of emergency decisions taken in response to these emergencies were presented to meetings of the full Council on 17 July 2020, 11 September 2020, 9 October 2020, 11 December 2020, 12 February 2021, 5 March 2021 and 28 May 2021.

Paragraph 15 of the chief executive scheme of delegation, requires that all emergency decisions taken by officers are reported to full Council at the next meeting, including the extent to which it has been necessary to operate outside the contract and financial procedure rules. Each decision contains an assessment of risk including finance, legal and equality considerations.

Below is a schedule of all necessary decisions in cases of emergency published since the annual meeting of full Council on 28 May 2021.

Covid-19 – July 2021

Allocation of vacant seat on the Planning and Regulatory Committee to the True Independents political group

Decision Maker: Chief Executive

Date of decision: 06/07/2021

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=8034&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=8034&LLL=0)