

CAMBRIDGE CITY COUNCIL
Record of Officer Urgency Action

Urgency Powers to Settle Claim Regarding Alexandra Gardens Trees

Decision of:	Director of Environment: Simon Payne
Reference:	16/URGENCY/CS/01
Date of decision:	11 March 2016
Decision Type:	Officer Urgent Action
Matter for Decision:	Claim for damages for tree root subsidence: [REDACTED] [REDACTED]
Why the decision had to be made (and any alternative options):	Legal proceedings have been issued against the Council in respect of subsidence damage which is said to have occurred to [REDACTED] from the late summer of 2011 onwards.
Officer decision(s):	The Director of Environment instructs the Head of Legal Services to authorise the Council's solicitors to make an offer to the claimant's solicitors to settle the claim.
Committee consideration:	The Chair, Vice Chair and Opposition Spokesperson of the Community Services Committee were consulted prior to the action being authorised.
Briefing Note/Report:	Background papers NOT FOR PUBLICATION: By virtue of paragraphs 3 & 5 of Part 1 of Schedule 12A of the Local Government Act 1972.
Conflicts of interest:	None

Note:

City Council Constitution: Part 3 Para states:

Urgency Action

Each Director is authorised to act on behalf of the Executive or the Council (after consultation, if practicable with the relevant Executive Councillor or, in respect of non-executive functions, the relevant Chair or, in either case, the Chief Executive) in relation to matters within his/her area(s) of responsibility in cases of urgency or emergency. Any such action to be reported as soon as possible to the relevant Executive Councillor and Scrutiny Committee or, for non-executive functions, the relevant committee or sub-committee.

In exercising this power, a Director shall either consult:

- members, in which case the Executive Councillor (in respect of executive functions) or the Chair (in respect of regulatory functions) and, so far as practical in the time available, spokesperson(s); or
- the Chief Executive (if available) before taking action.

If only the Chief Executive is consulted, the Director shall, as soon as possible after taking the action in question, inform the Executive Councillor, Chair and spokesperson(s) of what has happened. (This shall be in addition to reporting the action taken to the next meeting of the relevant committee or sub-committee)."