

LOCAL GOVERNMENT ACT 2000

REGISTER OF URGENT
DECISIONS TAKEN BY THE
CHIEF EXECUTIVE

NORTH DEVON COUNCIL CONSTITUTION
– Part 3 Annex 2: Officer Delegations –
Chief Executive



Reference No:

1) SUBJECT: Car Parking and Public Toilets

2) REQUESTED DECISION: To commence charging in certain car parks and to reopen certain public conveniences

3) STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT:

This decision is urgent as the latest government announcements have relaxed lockdown measures from 11th May and so the area can expect to now see more traffic movements and potentially more visitors from outside the area. Concern has been expressed about the fact that providing free car parking may encourage more people to use the beaches and parks and there are also concerns that if people are using these facilities more, public health issues could arise if public toilets are not open.

Car Park surveys have not shown an increase in usage although another survey is being carried out on Saturday 16th May.

The decision is to commence charging in coastal car parks from the 23rd May and also to re-open coastal toilets and those serving parks from the same date if possible.

4) FINANCIAL IMPLICATIONS: (NOTE: Please state if there are any financial implications. If so, state whether there are sufficient funds within the agreed budget. If there are insufficient funds please state how the decision will be financed).

There has been a significant financial implication in not charging in car parks although even if charging had continued, income would have been substantially reduced.

5) ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

To continue closure. Keeping toilets closed will cause public health issues if the numbers of users increases. Not charging in car parks can be seen as an encouragement to visitors and many concerns are being raised about this.

6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED:

None

7) A NOTE OF ANY DISPENSATION IF GRANTED:

None

8) LIST OF BACKGROUND PAPERS (but not including published works or those which disclose exempt or confidential information (as defined in paragraph 10.4 and 10.5 of the Access to Information Procedural Rules Part 4 of the Constitution):

9) CONSULTATION UNDERTAKEN:

The following have been consulted on this urgent decision:

Consultee	Consulted Yes/No	Date
Leader of Council (<i>or Deputy Leader</i>)	Y	14/5/20
Chair of Committee (with the Authority to take the decision) (<i>or Vice-Chair</i>)		
Lead Member	Y	14/5/20
Ward Member(s)		
Head of Service (name)		
Finance		
Legal		

10) OFFICER REQUESTING URGENT DECISION TO BE TAKEN BY THE CHIEF EXECUTIVE:

Chief Executive

11) APPROVED BY CHIEF EXECUTIVE: YES

Supported by SMT and by Group Leaders

12) DATE OF DECISION:

14th May 2020

13) CHIEF EXECUTIVE'S COMMENTS:

On balance, and after consulting with Group Leaders, I am of the view that coastal car parks should not become chargeable and that toilets serving these areas

should now open, provided the relevant safety measures can be taken to protect the public and the staff.

14) DATE TO BE PRESENTED TO STRATEGY AND RESOURCES COMMITTEE:

1st June 2020

GUIDANCE NOTES

NOTE:

PROCEDURE FOR URGENT DECISIONS:

1. Completed form to be passed to the Chief Executive following consultation with the interested parties.
2. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).
3. The Chief Executive will make his decision.

PROCEDURE FOR URGENT DECISION MAKING AS PER THE CONSTITUTION

Officer Delegations: the Chief Executive:

Urgent Decision Making

- 3.48 To take a decision on any matter falling within the remit of any Committee in cases of urgency where it is not reasonably practicable to obtain prior approval of a Committee SUBJECT TO:
- 3.48.1 the prior consultation, where practicable, with the Leader or Deputy Leader and the Chair or Vice Chair of the relevant Committee, and
 - 3.48.2 the proviso that this power will not extend to the determination of any application submitted pursuant to the Planning Acts or under the Licensing Act 2003 or the Gambling Act 2005, and
 - 3.48.3 the decision being reported to the next meeting of the relevant Committee and the next meeting of Strategy and Resources Committee.