

MUNICIPAL YEAR 2006/2007 REPORT NO.

MEETING TITLE AND DATE:

Cabinet 14th June 2006
Council 28th June 2006

REPORT OF:

Director of: Environment, Street
Scene & Parks & Emergency
Planning Officer.

| Agenda – Part:1 | Item: |
|------------------------|--|
| | Subject: Revised Local Authority "Gold" Resolution. |
| | Wards: Not Ward specific. |
| | Cabinet Members consulted: Cllr Michael Rye, Cllr Terry Neville, Cllr Zinkin |

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1. EXECUTIVE SUMMARY

- 1.1 This report relates to a request from the Association of London Government (ALG), via ALG Chief Executive's Circular 11/06 (Appendix 1), asking all London Boroughs to adopt a revised Local Authority "Gold" resolution.
- 1.2 This will enable the Local Authority "Gold" Chief Executive to act on behalf of all London Local Authorities in an emergency as before but creates an additional Level 2 response regarding authorisation for expenditure, subject to two conditions.

2. RECOMMENDATIONS

That the recommendation as detailed at Appendix 1 be adopted, whilst the ALG continue to work on two areas of concern:-

- the indemnification of an individual "Gold" Chief Executive in respect of personal liabilities, to the extent that this might not be covered by an authority's existing arrangements;
- the exploration of additional arrangements for pooling expenditures.

3. BACKGROUND

- 3.1 In late 2003 and early 2004 the ALG corresponded with Boroughs about the need to vest the Local Authority "Gold" Chief Executive with the necessary powers to act on behalf of all local authorities in an emergency, this relating to a defined "catastrophic incident."
- 3.2 Boroughs were asked to adopt a resolution to delegate functions to the "Gold" Chief Executive so that he or she would be able to act on behalf of all Boroughs in the event of the Government declaring a "catastrophic incident" and when the Government had confirmed that it would reimburse expenditure. All Boroughs passed the "Gold" resolution by March, 2004.
- 3.3 Recent events, however, in particular the July, 2005 bombings have shown that Boroughs would welcome greater clarity about the financial arrangements, especially when an emergency has not been declared "catastrophic."

4. OTHER OPTIONS CONSIDERED.

- 4.1 The ALG have sought re-assurance from the Government and been promised that the Government would give "urgent consideration" to reimburse local authorities' costs when responding to any emergency.

5. REASONS FOR RECOMMENDATIONS.

As requested by ALG Leaders Committee.

6. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE RESOURCES AND OTHER DEPARTMENTS.

6.1 Financial implications.

There is no material impact on the Council's revenue budget arising from the proposal. In the event of an incident the council would take all steps to recover its costs from the Government.

6.2 Legal implications.

The proposed resolution extends current arrangements for the delegation of powers to the relevant "Gold" Chief Executive. Currently the delegation extends to "catastrophic incidents" but the proposed resolution will extend that to include "Level 2" incidents (as defined in the resolution). It is noted that the proposed resolution includes (in paragraph 6) limitations on the power of the relevant Gold Chief Executive to incur expenditure. The Council has a discretion as to whether or not to pass the resolution, although to do so is likely to assist in the discharge of duties under the Civil Contingencies Act 2004. Although this is an executive function, under the terms of the

Council's Constitution it is prudent for the resolution to be considered by both Cabinet and full Council.

7. PERFORMANCE MANAGEMENT IMPLICATIONS.

Having consulted Best Value and Performance Management it is considered that this recommendation provides for a more efficient strategic pan-London "Gold" cover arrangement, by way of reducing extra costs and providing for reimbursement.

8 PUTTING ENFIELD FIRST

If the resolution is agreed in due course, then the London Borough of Enfield will be complying with Council value in respect of leading communities and building a better future.

It will also be meeting the following aims:-

- 3 - safer Enfield to live, work and do business, and,
- 5 - supporting the delivery of excellent services.

BACKGROUND PAPERS.

None