

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Use of Special Urgency Provisions 2024/25

Meeting/Date: Council – 16th July 2025

Executive Portfolio: Executive Leader

Report by: Executive Leader

Wards affected: All

Executive Summary:

It is a requirement within the Council's Constitution that executive decisions taken as a matter of special urgency be reported annually to the Council by the Executive Leader.

Since the Council last received the annual report there has been one key decisions taken using the special urgency provisions, which is detailed in Appendix 1 of the submitted report.

Recommendation:

The Council is invited to comment and note the information report.

1. PURPOSE OF THE REPORT

- 1.1 To notify the Council of any key decisions taken throughout the year not included in the Notice of Executive Decisions.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The definition of a key decision is contained within the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and is a decision which is likely:

- i. to result in the authority incurring expenditure which is, or the making of savings which are, significant having regard to the authority's budget for the service or function to which the decision relates; or
- ii. to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the authority.

- 2.2 In determining the meaning of 'significant' the authority must have regard to any guidance issued by the Secretary of State and a 'significant' decision is included within the Council's Constitution as any decision which would, if implemented, fall in any of the following categories:

- it is not in accordance with a policy, plan or strategy which forms part of the policy framework approved by the Council;
- it may result in the adoption of any additional policy, plan or strategy by the Council;
- it is not in accordance with the budget approved by the Council;
- it may increase financial commitments in future years above existing budgetary approvals;
- it will result in any of the following:
 - the appointment of additional permanent staff for which there is no budget provision;
 - the acquisition or disposal of land or property with a value in excess of £2,000,000;
 - any budgetary virement in excess of the limits set out in the Code of Financial Management in Part 4 of the Council's Constitution;
 - any statutory order or scheme if it requires, either directly or as a result of objections, the approval of a Minister of the Crown;
 - the initiation of local legislation or byelaws;

- it is likely to be of significance in the opinion of the decision taker.
 - Any decision to incur expenditure or savings or realignment of expenditure in excess of £200,000 shall be treated as significant.
- 2.3 Key decisions should be recorded and published in the Notice of Executive Decisions 28 clear days' before the matter is considered.
- 2.4 However, where the publication of the intention to make a key decision is impracticable, Rule 15 (General Exception) of the Council's Constitution, may apply:
 - If the Head of Paid Service has given notice in writing to the Chair of the relevant Overview and Scrutiny Panel, or if there is no such person, each member of that Panel in writing, of the matter to which the decision is to be made;
 - A Notice in the prescribed form is available for inspection by the public which provides details of the decision to be made and the reasons why compliance with providing 28 days' notice was impractical; and
 - The Notice is published on the Council's website.
- 2.5 If by virtue of the date by which a decision must be taken Rule 15 (General Exception) cannot be followed, subject to Rule 16 (Special Urgency) of the Council's Constitution, the decision may be taken:
 - If the Chair of the relevant Overview and Scrutiny Panel is in agreement that taking the decision cannot reasonably be deferred;
 - A Notice in the prescribed form is made available at the offices providing details as to the reasons why the meeting is urgent and cannot reasonably be deferred; and
 - The Notice is published on the Council's website.
- 2.6 As per the Council's Constitution any decisions taken as a matter of urgency must be reported to the next available meeting of the relevant Overview and Scrutiny Panel, together with the reasons for urgency and reported annually to the Council by the Executive Leader.
- 2.7 In addition to the Council's Constitution, under 100b (4) (b) of the Local Government Act 1972 an item of business may not be considered at a meeting unless by reason of special circumstances, which shall be specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.
- 2.8 One decision was taken under these provisions as a result of the fact that the consultation closed prior to the next scheduled meeting of Cabinet. The details are attached as an Appendix to the report. The Overview and Scrutiny Panel Chair was made aware of the urgent items and raised no

objections at the time and were reported to the next relevant Overview and Scrutiny Panel.

3. REASONS FOR THE RECOMMENDED DECISIONS

- 3.1 It is a requirement within the Council's Constitution that executive decisions taken as a matter of special urgency be reported annually to the Council by the Executive Leader.

4. LIST OF APPENDICES INCLUDED

Appendix 1 - Executive Decisions Taken Under Special Urgency Provision
– Annual Report

BACKGROUND PAPERS

Agenda Item No.6 – Fens & Lincs Reservoirs Cabinet 16 July 2024
[Fens & Lincs Reservoirs Cabinet 16 July 2024](#)

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Executive Decisions Taken Under Special Urgency Provision – Annual Report

| Date of Decision | Decision Maker | Agenda Item | Decision Made | Reason for urgency |
|------------------|----------------|---------------------------|--|--|
| 16th July 2024 | Cabinet | Fens and Lincs Reservoirs | <p>Cabinet approved the recommendations –</p> <p>(a) authorised the Chief Planning Officer, in consultation with the Executive Leader and Executive Councillor for Economy, Regeneration and Housing, to prepare and submit formal comments on the current second non statutory consultation on the Fens and Lincs reservoirs and associated infrastructure proposals; and</p> <p>(b) delegated authority to the Chief Planning Officer to take all associated action necessary in the interests of the efficient and timely conduct of the Council's compliance with the Fens Reservoir and the Lincs Reservoir Development Consent Order (DCO) procedures.</p> | In view of the fact that the consultation would close prior to the next scheduled meeting of Cabinet |