

COUNCIL

DATE	11 th December 2025
REPORT OF	The Monitoring Officer
SUBJECT	Use of Special Urgency Procedure
STATUS	Open
FORWARD PLAN REF NO.	Not applicable

CONTRIBUTION TO OUR AIMS

Good governance arrangements contribute directly to the achievement of the Council's strategic aims.

EXECUTIVE SUMMARY

A report advising on the use of 'Special Urgency' provisions for the taking of key decisions, as required under legislation.

RECOMMENDATIONS

That the use of Special Urgency provisions as set out in paragraph 1.5 of this report, be noted.

REASONS FOR DECISION

None, as the report is for information only.

1. BACKGROUND AND ISSUES

- 1.1 'Key decisions' are decisions made by any decision-taker in respect of the discharge of executive functions which are likely to
- (a) result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the budget for the services or functions to which the decision relates or
 - (b) be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions (informally referred to as wards) in the area of the local authority (see Constitution Part 2 – Article 4 Section 4).
- 1.2 A decision-taker may only take a Key Decision in accordance with the requirements of the Access to Information Procedure Rules (see Constitution Part 2 – Article 3 Appendix 1). Normally at least 28 clear days' public notice is required through publication on the Forward Plan before such a key decision can be taken. It is, however, not always practicable to give such advance public notice on the Forward Plan, and it is not always practicable to give public notice by way of the general exception procedure.

- 1.3 Where this is impracticable and the intended key decision cannot wait for such notice or shorter notice to be given by way of general exception, then the special urgency procedure can be considered under regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. This requires obtaining the prior agreement from the prescribed person that the making of the decision is urgent and cannot reasonably be deferred. Permission is sought from the chair of the appropriate scrutiny panel in such cases. Without such agreement, the making of the intended decision would be delayed.
- 1.4 Under regulation 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 a report is required to be submitted (at least once per year) by the Leader to Full Council containing details of each executive decision taken where the making of the decision was agreed as urgent in accordance with regulation 11. This was previously done via the Leader's Statement at each ordinary meeting of Council. Under changes to the Standing Orders of this Council agreed at the meeting of Council in September 2025, it was agreed that any Special Urgency decisions would be the subject of a separate agenda item.
- 1.5 Since the last ordinary meeting of Council, the following decision was taken under the special urgency procedure:

CORPORATION ROAD BRIDGE REFURBISHMENT

Cabinet considered a report from the Portfolio Holder for Housing, Infrastructure and Transport seeking approval to temporarily increase the global cap for expenditure on the Corporation Road Bridge refurbishment project.

This item was considered under the Special Urgency rules of the Constitution, with the agreement of the Leader and the Chair of the Transport, Infrastructure and Strategic Housing Scrutiny Panel. It was therefore not subject to the call-in procedure. The item was considered urgent due to the level of financial commitment required in awarding the main construction contract on a lump sum basis and to allow rectification of defects to start immediately.

The Chair noted the in-depth discussions held on this matter at the meeting of the Transport, Infrastructure and Strategic Housing Scrutiny Panel on 29th October, 2025 and its recommendation to Cabinet in support of the option for the bridge to remain closed until all aspects of the refurbishment were completed. He proposed that the recommendations in the report be agreed along with the recommendation from scrutiny. This was seconded by Councillor S Swinburn and unanimously agreed by Cabinet.

RESOLVED –

1. That, being cognisant of the likely mitigation set out in the closed appendix to the report now submitted, a temporary uplift in the previously mandated cap for expenditure be approved, with resultant funding to

enable immediate engagement with the prospective contractor and to address the defects identified in relation to already completed works to Corporation Road Bridge.

2. That, being assured of the robustness of the procurement process as set out and recognising the need to engage on a lump sum basis, bringing clarity and assurance and without any further formality, the Director of Economy, Environment and Infrastructure be directed to immediately award and engage Taziker Industrial Limited ("Taziker") as Principal Contractor.
3. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to execute documentation arising.
4. That Option 1, based on the bridge remaining closed until all aspects of the refurbishment were completed, be supported, in line with the recommendation of the Transport, Infrastructure and Strategic Housing Scrutiny Panel.

2 RISKS, OPPORTUNITIES AND EQUALITY ISSUES

It is a requirement of legislation and the Council's Constitution that this matter be notified to Council.

3 OTHER OPTIONS CONSIDERED

Not applicable.

4 REPUTATION AND COMMUNICATIONS CONSIDERATIONS

These matters are reported to the Council as required by legislation and the Constitution, and to support the continued good governance of the Council.

5 FINANCIAL CONSIDERATIONS

There are no financial considerations to be taken into account as a result of the recommendations within this report.

6 CHILDREN AND YOUNG PEOPLE IMPLICATIONS

There are no direct implications for children and young people arising from the recommendations within this report.

7 CLIMATE CHANGE, NATURE RECOVERY AND ENVIRONMENTAL IMPLICATIONS

There are no climate change or environmental implications arising from the recommendations within this report.

8 CONSULTATION WITH SCRUTINY

Not applicable.

9 FINANCIAL IMPLICATIONS

There are no direct financial implications arising from the recommendations in this report.

10 LEGAL IMPLICATIONS

As set out in the main body of the report.

11 HUMAN RESOURCES IMPLICATIONS

There are no direct human resources implications arising from the recommendations in this report.

12 WARD IMPLICATIONS

All wards are potentially affected.

13 BACKGROUND PAPERS

None.

14 CONTACT OFFICER(S)

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