

Slough Borough Council

Report To:	Council
Date:	24 th July 2025
Subject:	Quarterly Update on Urgent Key Decisions
Chief Officer:	Sukdave Ghuman, Monitoring Officer
Contact Officer:	Nick Pontone, Principal Democratic Services Officer
Ward(s):	All
Exempt:	No
Appendices:	Appendix 1 – Log of decisions taken under special urgency procedures where call-in waivers granted – April to June 2025 Appendix 2 – Log of Cabinet reports published after agenda publication

1. Summary and Recommendations

- 1.1 This report informs Members of Executive key decisions taken during the last quarter for which urgency provisions were utilised. There are various constitutional reporting requirements for such urgent decisions, including where proper constitutional procedures have not been adhered to and where special urgency procedures are relied upon.
- 1.2 This report covers the quarter between April to June 2025. During this period one decision was taken under the Leader's Action procedure (mandatory licensing HMO fees) and one key decision was taken for which an urgent decision notice had been published as it had not been fully included on the 28-day notice of key decisions (Parking and Traffic Enforcement Review). No call in waivers were required during the quarter.
- 1.3 As part of the governance improvement programme the Council is seeking to minimise the number of reports to Cabinet and other meetings published late, i.e. after the statutory five clear days deadline. Appendix 2 includes a log of reports to Cabinet published late during the quarter. Such reports may not have utilised urgency provisions but are included for transparency and monitoring purposes.

Recommendations:

Council is recommended to:

- (a) Note the use of special urgency provisions used for key decisions as set out in Appendix 1.

- (b) Note the log of late Cabinet reports issued after agenda publication as at Appendix 2.

Reason:

This quarterly update ensures compliance with the various constitutional provisions for the key decision processes. This report contains details key decision made under special urgency procedures, where the agreement of the Chair of the Corporate Improvement Scrutiny Committee has been sought to waive call-in. Whilst the constitutional and statutory requirements were followed for making these decisions, paragraph 17.3 of the Access to Information Rules state that a quarterly report should be taken to Council where decisions are taken in accordance with Rule 16. The Council will receive these updates quarterly as meetings in January, April, July and November each year. Even if no decisions utilising urgency procedures have been taken during the preceding quarter a report will be provided to duly notify Council.

Commissioner Review

This report is outside the scope for pre-publication commissioner review; please check the [Commissioners' instruction 5 to CLT to sign off papers](#) for further details.

2. Report

Introductory paragraph

- 2.1 This report details the use of special urgency procedures to waive call-in for key decision made in accordance with the Special Urgency rules as set out in Paragraph 16 of the Access to Information Procedure Rules. This report contains information of decisions made in the most recent quarter.

Background

- 2.2 Slough Borough Council operates the leader and cabinet model of governance. The Executive (Cabinet) is subject to various legal and constitutional provisions for decision-making. The main legal requirements are contained in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, which have been incorporated into the Council's Constitution, primarily the Executive Procedure Rules and Access to Information Rules.
- 2.3 There are specific constitutional rules that apply to the taking of 'key decisions', the definition of which is:

"A key decision is an Executive decision which:

(a) is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates;

or

(b) is likely to be significant in terms of its effects on communities living or working in an area of two or more wards of the Borough.

A decision is significant for these purposes if it involves expenditure or the making of savings/receipt of income of an amount in excess of £1 million for capital expenditure or £500,000 for revenue expenditure or, where expenditure or savings are less than the amounts specified above, they constitute more than 50% of the budget attributable to the service in question. Revenue expenditure or savings should be calculated by reference to an annual figure, unless the expenditure will bind the Council for multiple years. Capital expenditure and capital receipts should be calculated based on total figures for the duration of the project or contractual term.

A decision taker may only make a key decision in accordance with the requirements of the Executive and Access to Information Procedure Rules set out in this Constitution."

- 2.4 The procedure rules require the Council to give 28-days public notice of the intention to take a key decision. To comply with this requirement the Council publishes a Notification of Key Decisions each month which summarises the key decisions the Cabinet expects to take in the next three months.
- 2.5 Where it has not been possible to comply with this notification process, a key decision may still be taken under General Exception and Special Urgency provisions set out in sections 15 to 17 of the Access to Information Procedure Rules.
- 2.6 The Overview & Scrutiny function is important in enabling non-executive Members to review and scrutinise decisions made by the Cabinet. This includes the power to 'call in' a decision of the Cabinet which has not yet been implemented. Every Cabinet decision which is subject to call-in cannot be implemented until the call-in period expires, which is 5 working days after the publication of the decision. If a decision needs to be implemented urgently the Chair of the Corporate Improvement Scrutiny Committee can agree to waive call-in to enable the decision to be implemented without waiting for the 5 working days to elapse. The Cabinet report and/or minutes will specify if a call-in waiver was granted.
- 2.7 Under Section 17 of the Access to Information Procedure Rules the Corporate Improvement Scrutiny Committee has the power to require the Cabinet to report to Council if it believes a key decision has not been taken in accordance with the relevant procedures. It is confirmed that the Committee has not reported any such non-compliance this quarter or in 2022, 2023 or 2024.

Summary of use of special urgency provisions requiring call-in waivers

- 2.8 During the April to June 2025 quarter, there was one key decision taken for which 28-days notice had not been given (an urgent decision notice was published). One decision was taken under the Leader's Action provision of the Executive Procedure Rules. No call-in waivers were requested.
- 2.9 To provide Members with further context, the table below sets out the use of wider urgency procedures, including those where it was not necessary to waive call-in.

	Urgent Key Decisions (all decisions not included on 28 day notice of key decisions)	Leader's Urgent Action	Chief Executive's Urgent Action (Executive functions)	Call-in waivers granted
Q1 2022	0	0	0	0
Q2 2022	0	0	0	0
Q3 2022	2	1	0	1
Q4 2022	2	0	0	2
Q1 2023	2	2	0	1
Q2 2023	2	0	1	2
Q3 2023	0	0	0	0
Q4 2023	1	1	0	1
Q1 2024	1	0	0	1
Q2 2024	0	0	0	1
Q3 2024	0	0	0	0
Q4 2024	1	0	0	3
Q1 2025	0	0	0	0
Q2 2025	1	1	0	0
Total 2022	4	1	0	3
Total 2023	5	3	1	4
Total 2024	2	0	0	5
Total 2025	1	1	0	0

NB: some decisions were subject to more than one of the above provisions.

Late publication of reports

- 2.10 In accordance with statutory requirements and the Access to Information Procedure Rules, reports to Cabinet should be published at least five clear working days before a meeting. In circumstances where this is not possible a report must be published as soon as it is available before the meeting.
- 2.11 To improve transparency and to provide a benchmark for improvement, this report now includes data on the late publication of reports to Cabinet. In the second quarter of 2025 a total of 7 reports were published late, compared to 2 in the first quarter. Full details are provided in Appendix 2.
- 2.12 To provide some context, the number of Cabinet reports published late since 2022 is as follows:

	2022	2023	2024	2025 (to date)
Number of Cabinet meetings	13	12	14	7
Total number of reports	86	93	79	48
Number of late reports	11	11	16	9
% of late reports	13%	12%	20%	19%

3. Implications of the Recommendation

3.1 *Financial implications*

3.1.1 There are no direct financial implications arising from this report.

3.2 *Legal implications*

3.2.1 The key legal provisions are summarised in the report. The primary legal requirements are contained in The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, which have been incorporated into the Council's Constitution.

3.2.2 The Centre for Governance & Scrutiny has produced guidance on the use of call in to assist local authorities in drafting their constitutional rules. In relation to exceptions which should apply to call-in procedures, it recommends that these should be used where for reasons that it would be prejudicial to the interests of the Council, for safety reasons or because it is in the wider public interest. The Council has followed this guidance by incorporating rules for general and special urgency and emergency arrangements for decisions of different degrees of immediacy with different processes affecting call-in and member oversight. The guidance states that this may appear potentially complicated but does mean that the right to call a decision in is wholly absent only in the most extreme of circumstances. The guidance refers to decisions to remove call-in and the reasons for this being reported to Full Council either on a decision by decision basis or via an annual report.

3.2.3 The draft best value guidance refers to an indicator of potential failure being scrutiny functions being undermined and a lack of pre-decision scrutiny, plus a culture of secrecy and overuse of urgency arrangements, confidential or delegated action reports and a failure for such reports to be reported in a form which allows scrutiny.

3.3 *Risk management implications*

3.3.1 There are no risks directly associated with this report.

3.4 *Environmental implications*

3.4.1 There are no environmental implications arising from this report.

3.5 *Equality implications*

3.5.1 There are no equality implications arising from this report. Decisions taken by the Cabinet are subject to equality impact assessments where appropriate.

4. Background Papers

None.

Appendix 1: Log of decisions taken under special urgency procedures where call-in waivers granted in accordance with Rule 16 of the Access to Information Rules – April to June 2025

	Decision taker	Report Title	'Urgent' key decision	Call-in waived	Reason for urgency and other comments
			<i>Decision taken under General Exception (para 15 of Access to Information Rules) i.e. less than 28 days' notice of key decision given.</i>	<i>Call-in waiver request granted by the chair of scrutiny.</i>	
Quarter 2 2025 Apr to Jun 2025	Leader's Action 11 th April 2025	Mandatory licencing of Houses in Multiple Occupation fee	No, notice of decisions relating to fees and charges had been included in the notice covering this period.	No	The Cabinet had approved a number of changes to Fees and Charges at its meeting on 24 th February 2025. Whilst the report included the proposed increase in licencing charges for HMOs it erroneously stated they were for noting only and not Cabinet approval. Such fees are an executive function for Cabinet approval, therefore an urgent decision was sought to correct the error and introduce the revised charges as soon as possible.
	Cabinet 16 th June 2025	Parking and Traffic Enforcement Review	Yes, an urgent decision notice was published in accordance with the regulations as the item had not been fully included in the statutory 28-day pre-decision notice.	No	A notice had been published 28 days prior to Cabinet for some aspects of the report, relating to the removal of vehicles from the highway, but the scope of the report was widened after the Notification of Key Decisions had been published and it was considered that an updated pre-decision notice be published to include all aspects of the report. The decision could not reasonably be deferred as the Council needed to make an application to the Department for Transport on Moving Traffic Enforcement at the start of July.

Appendix 2: Log of late reports to Cabinet

Quarter 1 – January to March 2025					
Date of Cabinet Meeting	Number of late reports	Report title	Agenda published	Report published	Comments
20 th January 2025	2	Improvement & Recovery Action Plan 2024-26	Fri 10 Jan	Thu 16 Jan	-
		Council Tax Support Scheme	Fri 10 Jan	Thu 16 Jan	-
17 th February 2025	0	-	Fri 7 Feb	-	Cabinet Committee reports published 5/2/25
24 th February 2025	0	-	Fri 14 Feb	-	-
17 th March 2025	0	-	Fri 7 Mar	-	Cabinet Committee reports published 7/3/25

Quarter 2 – April to June 2025					
Date of Cabinet Meeting	Number of late reports	Report title	Agenda published	Report published	Comments
14 th April 2025	5	Quarterly Corporate Performance Report	Fri 4 Apr	Thu 10 Apr	-
		Equality Plan 2025-2027	Fri 4 Apr	Thu 10 Apr	-
		Safer Slough Partnership Community Safety Plan 2025/28	Fri 4 Apr	Thu 10 Apr	-
		Procurement Forward Plan for goods, works and services 2025/26	Fri 4 Apr	Thu 10 Apr	-
		Long Term Lease of Homes for Use as Temporary Accommodation	Fri 4 Apr	Thu 10 Apr	-
19 th May 2025	1	Library Services	Fri 9 May	Thu 15 May	-
		-	Fri 9 May	-	Cabinet Committee reports published 8/5/25
16 th June 2025	1	Asset Disposal – Land at Norway Drive	Fri 6 Jun	Thu 12 Jun	-

	2022	2023	2024	2025 (to date)
Number of meetings	13	12	14	7
Total number of reports	86	93	79	48
Number of late reports	11	11	16	9
% of late reports	13%	12%	20%	19%

Notes:

- Late is defined as a main/cover report issued with less than five clear working days notice i.e. after main agenda publication.
- Excludes recommendations from the Cabinet Committee (which meets the Thursday before Cabinet) if the report to Cabinet Committee was published more than five clear working days before Cabinet.