

**ANNUAL COUNCIL
THURSDAY, 21 MAY 2026**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: KEY DECISIONS - ANNUAL REPORT ON CASES OF SPECIAL URGENCY

REPORT OF: Leader of the Council

COUNCIL PRIORITY: All Priorities

1. EXECUTIVE SUMMARY
1.1 The purpose of this report is to inform the Council of any occasions over the past year where the provisions relating to “Special Urgency” have been used in connection with the publication of an intention to make a Key Decision, as required by legislation.
2. RECOMMENDATIONS
2.1. That the report be noted.
3. REASONS FOR RECOMMENDATIONS
3.1. To comply with Regulation 19 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”).
4. ALTERNATIVE OPTIONS CONSIDERED
4.1. None.
5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS
5.1. None.
6. FORWARD PLAN
6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.
7. BACKGROUND
7.1. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 came into force on 10 September 2012. The Regulations, inter alia, revised the procedures for publicity in connection with Key Decisions.

- 7.2. A Key Decision means an executive decision which is likely –
- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates; or
 - (b) 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 relevant local authority.
- 7.3. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Regulation 9(2) requires that at least 28 clear days notice is given by the Council before a Key Decision is made. This requirement is ordinarily met at North Herts Council by the regular publication of the Forward Plan of Key Decisions.
- 7.4 Regulation 10 requires that, where the publication of the intention to make a Key decision under regulation 9(2) is impracticable, that decision may only be made –
- (a) where the proper officer has informed the Chair of the relevant Overview and Scrutiny Committee or, if there is no such person, each member of the relevant Overview and Scrutiny Committee by notice in writing, of the matter about which the decision is to be made;
 - (b) where the proper officer has made available at the offices of the relevant local authority for inspection by the public and published on the relevant local authority's website, if it has one, a copy of the notice given pursuant to sub-paragraph (a); and
 - (c) after five clear days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b).
- 7.5 In cases of Special Urgency, Regulation 11 requires that where the date by which a key decision must be made, makes compliance with regulation 10 impracticable, the decision may only be made where the decision maker has obtained agreement from -
- (a) the Chair of the relevant Overview and Scrutiny Committee; or
 - (b) if there is no such person, or if the Chair of the relevant Overview and Scrutiny Committee is unable to act, the Chair of the relevant local authority; or
 - (c) where there is no Chair of either the relevant Overview and Scrutiny Committee or of the relevant local authority, the Vice-Chair of the relevant local authority, that the making of the decision is urgent and cannot reasonably be deferred.
- 7.6 Regulation 19(1) requires that the Executive Leader must submit to the relevant local authority at such intervals as may be determined by the relevant local authority a report containing details of each executive decision taken during the period since the last report was submitted to the authority where the making of the decision was agreed as urgent in accordance with Regulation 11.

- 7.7 As contained within the Council's Constitution it is stated that the Leader will submit a report annually to Council on the Cabinet decisions taken under the special urgency provisions.
- 7.8 Regulation 19(2) requires that a report submitted for the purposes of Regulation 19(1) must include –
- (a) particulars of each decision made; and
 - (b) a summary of the matters in respect of which each decision was made.
- 7.9 Regulation 19(3) requires that the Executive Leader must submit at least one report under Regulation 19(1) annually to the relevant local authority.

8. RELEVANT CONSIDERATIONS

- 8.1. In 2025/26, the following Key Decisions required the Special Urgency procedure outlined in Regulation 11 to be invoked:
- 8.2. **Subject Matter: Local Government Reorganisation in Hertfordshire: Submission of Final Proposals**

Decision: That Cabinet:

- (1) Noted the content of the report, the draft Hertfordshire submission document at Appendices A to E which forms the proposed collective submission to Government on Local Government Reorganisation and the indicative non-binding view of Full Council at its meeting on 13 November 2025.
- (2) Resolved the following option:
 - c) Submit the proposal and identify the modified four unitary option as preferred and request that the Secretary of State formally modify the proposal by agreeing boundary changes, as set out in the proposal.
- (3) Delegated authority to the Chief Executive and Leader of the Council to agree any final minor amendments to the Hertfordshire submission document prior to submission to Government by 28 November 2025.
- (4) That the Chief Executive, in consultation with the Leader of the Council, be authorised to finalise the form of wording for a side letter to be submitted to the Ministry of Housing, Communities and Local Government (MHCLG) to accompany the Council's formal submission.

That the letter shall set out:

- a) the outcome of the Full Council deliberations; and
- b) the concerns raised by Members regarding the proposed placement of the Arbury ward within alternative unitary configurations, and the need for MHCLG to give this matter full consideration as part of the reorganisation process.

That the finalised letter be issued by the Leader on behalf of the Council.

Decision Taker: Cabinet

Date of Decision: 19 November 2025

Reason for Urgency:

On 16 December 2024 the government published its Devolution White Paper, providing details of their plans for local government reorganisation to support devolving power to communities. Following the Cabinet meeting on 18 March 2025, an Interim Plan was submitted by the Council.

At the Cabinet meeting on 19 November 2025 there will be a report presented to consider the Submission of Final Proposals for Hertfordshire developed jointly by the District, Borough and County Councils in Hertfordshire and seeking a delegation to the Leader (or Deputy in their absence) and Chief Executive to finalise this and submit the Final Proposals by the deadline of Friday 28 November 2025. Failing to meet this deadline would mean that the views of the Council would not be taken into account, which would seriously prejudice the Council's, or other public, interests in this matter.

Members were provided with a briefing on Monday 5 September, a presentation on process was delivered to the Overview and Scrutiny Committee on Tuesday 6 September and an Extraordinary Council meeting will take place on Thursday 13 November to allow Members to debate the proposals and an indicative vote on the options will be taken and the outcome of this will be presented to the Cabinet meeting on 19 November for consideration when making the decision. Therefore all Members will have had the opportunity of scrutinising the issue at the Full Council meeting prior to Cabinet's decision.

Therefore, this decision must be taken as an urgent decision and not subject to Call-In to meet the required deadline for submission of Friday 28 November

- 8.3. All Notices of Special Urgency can be viewed on the Council's Website here: [Notices of urgent decisions | North Herts Council](#)

9. LEGAL IMPLICATIONS

- 9.1. This report is a requirement of the Council Procedure Rules as set out in Part 15.16.3 of the Council's Constitution which provides that the Leader of the Council will submit an annual report to the Council on Cabinet decisions taken in the circumstances set out in 15.15 (special urgency) in the preceding year. The report will include the number of decisions taken and a summary of the matters in respect of which those decisions were taken.

- 9.2. The requirements of the Regulations are set out in the main body of this report.

10. FINANCIAL IMPLICATIONS

- 10.1. There are no financial implications arising directly from this report. In the event of the use of Special Urgency procedures, financial (and other) implications would be considered in the decision-making process and reported to Full Council.

11. RISK IMPLICATIONS

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2. There are no risk implications from this report.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. This is a noting report, the intention of which is to ensure transparency of decision making. Considerations with regards to equalities implications, in relation to each decision, will have been set out in the reports concerned.
- 12.3. There are no direct equalities implications arising from this report.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and “go local” requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 There are no human resource implications arising from this report.

16. APPENDICES

- 16.1 None.

17. CONTACT OFFICERS

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18. BACKGROUND PAPERS

18.1 [Notices of urgent decisions | North Herts Council](#)