

GENERAL EXCEPTION/ SPECIAL URGENCY DECISION NOTICE

The Local Authorities (Executive Arrangements) (Meetings and Access to Information)
(England) Regulations 2012

Date	10.02.2026
Decision Type:	Key decision – financial impact >£50,000
Details of Decision:	<u>Special Urgency Decision Notice</u>
Reason for urgency:	An urgent decision is required in order to secure and finalise an Agreement for Lease in a Council owned property.
Reason for Decision:	<p>Cabinet has received reports from the Head of Property on 5 December 2024, 21 March 2025 and 23 October 2025 regarding the Agreement for Lease for a Council owned property.</p> <p>Reports were also shared with the Audit and Resources Committee for scrutiny.</p> <p>These report were not for publication by virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as they contained commercially sensitive details.</p> <p>In order to finalise the lease a decision had be to taken by 12 February 2026 which was in advance of the next Cabinet meeting and therefore the decision had to be taken under urgency.</p>
Decision made by:	Councillors Keith House, Leader of the Council James Strachan, Chief Executive
Consultation with:	<p>Legal, Financial and Property Officers Cllr Steve Holes, Chair of Audit and Resources Committee Sarah King, Deputy Chief Executive (Chief Financial Officer) Joanne Cassar, Service Director – Governance and Support (Monitoring Officer)</p>

Declaration of Disclosable Pecuniary Interest:	None
To be retrospectively reported to:	Cabinet, Thursday 19 February 2026

A key decision is defined in the [Council's Constitution](#) as one which is likely to:

- i) to result in the Council incurring expenditure or making savings which amount to either £50,000 or 20% (whichever is the larger) of the gross expenditure budget for the service or general function to which the decision relates; or
- ii) to be significant in terms of its effect on communities living or working in an area comprising two or more wards within the Borough of Eastleigh.

Paragraph (i) above shall not apply:

- a) if the expenditure or savings are part of a programme already approved; or
- b) if it is a decision taken by the Corporate Director (CFO) (or statutory Chief Financial Officer) in accordance with the approved Treasury Management Policy.

A decision-taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules set out in part 4 of the Constitution.

General Exception

If a matter which is likely to be a key decision has not been included in the forward plan, then subject to Rule 17 (special urgency), the decision may still be taken:

- a. where the Monitoring Officer has informed the chairperson of the relevant overview and scrutiny panel or, if there is no such person, each member of the relevant overview and scrutiny panel by notice in writing, of the matter about which the decision is to be made;
- b. where the proper officer has made available at Eastleigh House for inspection by the public and published on the Council's website a copy of the notice given pursuant to sub-paragraph (a); and
- c. after five clear working days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b).

As soon as reasonably practicable after the proper officer has complied with the above they must:

- a. *make available at the offices of the relevant local authority a notice setting out the reasons why compliance with Rule 13 is impracticable; and*
- b. *publish that notice on the Council's website.*

Special Urgency

If by virtue of the date by which a decision must be taken Rule 16 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the Chair of the body making the decision, obtains the agreement of the Chair of a relevant Scrutiny Panel that the taking of the decision cannot be reasonably deferred. If there is no Chair of a relevant Scrutiny Panel, or if the Chair of the relevant Scrutiny Panel is unable to act, then the agreement of the Mayor, or in their absence the Deputy Mayor will suffice.

As soon as is reasonably practicable after the decision taker has obtained the agreement, as above, that the making of the decision is urgent and cannot reasonably be deferred, the decision maker must –

- a. *Publish a notice setting out the reasons that the meeting is urgent and cannot reasonably be deferred; and*
- b. *publish that notice on the Council's website.*