

GENERAL EXCEPTION/ SPECIAL URGENCY DECISION NOTICE

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

Date	Thursday, 9 April 2026
Decision Type:	Key decision – expenditure over £50,000 and effecting two electoral wards
Details of Decision:	To approve the removal of pre-emption and restrictive use covenants for a number of asset transfers as recommended by the Community Asset Transfer Board to a value of approximately £1.9m
Reason for urgency:	To allow asset transfers to progress in a timely manner.
Reason for Decision:	These assets were omitted from a previous decision taken by Cabinet on 25 September 2025.
Decision made by:	Leader of the Council Deputy Chief Executive (S151 Officer)
Consultation with:	Chair of the Audit and Resources Committee
Declaration of Disclosable Pecuniary Interest:	None
To be retrospectively reported to:	Cabinet on 21 May 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.*