

Bolsover District Council

Meeting of the Annual Council on 20th May 2026

Operation of Urgency Rules and Thresholds for Key Decisions

Report of the Strategic Director of Legal, Governance and Monitoring Officer

Classification	This report is Public
Report By	Jim Fieldsend Strategic Director of Legal, Governance and Monitoring Officer

PURPOSE/SUMMARY OF REPORT

The purpose of this report is to:

- Advise of Key Decisions taken under statutory Urgency Rules in the past 12 months.
- Advise of decisions taken under Urgency Rules within the Council's Scrutiny Rules (this is where call-in provisions are waived as the decision is urgent and cannot be reasonably deferred).
- Set the Key Decisions thresholds for the forthcoming year in line with the constitutional requirement at Annual Council meetings.

REPORT DETAILS

1. Background

1.1 A Key Decision is an Executive (i.e. Executive or officer) decision which 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
- be significant in terms of its effects on communities living or working in an area comprising two or more wards within the District.

In determining the meaning of "significant" the Council must have regard to any guidance for the time, being issued by the Secretary of State. The Council has decided that Revenue income or expenditure of £75,000 or more and Capital expenditure of £150,000 or more is significant.

1.2 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that all Key Decisions must be published at least 28 days prior to being made. Where this is not possible the

decision may still be made so long as there is compliance with General Exception provisions. This involves informing the Chair of the relevant Scrutiny Committee (or, in their absence the Chair of Council or Vice Chair of Council) and publishing a notice five days prior to making the decision outlining the reasons why compliance with the requirements is not possible.

- 1.3 Where it is impractical to comply with the General Exception rules, a Key Decision may only be taken in cases of Special Urgency. This is where the Chair of the relevant Scrutiny Committee (or, in their absence the Chair of Council or Vice Chair of Council) agrees that the decision is urgent and cannot be reasonably deferred. Again, the Council must publish a notice setting out the reasons why the decision is urgent and cannot be reasonably deferred.
- 1.4 The Leader is required to submit, at least on an annual basis, a report setting out those decisions where Special Urgency rules have been used. The report must cover the period since the last report was issued and contain details of the decisions that were made.
- 1.5 All Key Decisions are subject to the Council's call-in provisions which are set out in the Scrutiny Rules. Call-in provisions may be waived only where a decision is urgent. A decision is urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interests. The Chair of the relevant Scrutiny Committee (or, in their absence the Chair of Council or Vice Chair of Council) must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency are required to be reported to Council, together with the reasons for urgency. In the past 12 months, five decisions have been taken using urgency provisions to waive call-in. **These decisions were:**
 - Service Level Agreement – Household Support Fund 7 (Decision taken by the Chief Executive on 22nd May 2025)
 - Renewal of Insurance Policies (Decision taken by the Strategic Director of Finance and S151 Officer on 30th September 2025)
 - Appointment of a supplier to undertake environmental and flood mitigation works at Pleasley Vale Business Park (Decision taken by the Chief Executive on 1st December 2025)
 - Request from the Dragonfly Board of Directors regarding consideration of a Reserved Matter under the terms of the Dragonfly Companies Shareholder Agreement (Decision taken by the Executive on 1st December 2025)
 - Shirebrook and Langwith Public Space Protection Order Renewal (Decision taken by the Chief Executive on 15th December 2025)

1.5 Finally, the Council is required at its Annual Meeting to review the threshold for Key Decisions (see definition in paragraph 1.1). The current thresholds for Key Decisions, which are recommended to continue, are as follows:

- Revenue Income, Savings or Expenditure - £75,000
- Capital Income or Expenditure - £150,000

2. Details of Proposal or Information

2.1 The Key Decision that was taken using Special Urgency rules related to the Household Support Fund SLA7. The household support fund was a 12 month Grant (1st April 2025 to 31st March 2026) to provide support to vulnerable households who would otherwise struggle to buy food or pay essential utility bills, essential living costs and housing costs. This grant was an opportunity to financially assist vulnerable households across the district, and to sustain tenancies. In order to receive this grant of £183,142 the Service Level Agreement had to be signed as a matter of urgency.

The Chair of the Customer Services Scrutiny Committee was informed of the decision to be taken and agreed that the decision was urgent and not subject to Call-In. The decision was made by the Chief Executive on 22nd May 2025.

2.2 The Key Decision that was taken using Special Urgency rules related to the renewal of Insurance Policies to meet the timescales associated with renewing the Council's insurance policies by the 1st of October 2025, the decision to renew insurance policies has to be made prior to the end of September 2025. However, the nature of the brokering business means, negotiations with insurance companies takes place almost to the renewal date, and therefore delegated powers were granted to the Council's Section 151 Officer to accept the renewed contracts.

The Chair of the Finance and Corporate Overview Scrutiny Committee was informed of the decision to be taken and agreed that the decision was urgent and not subject to Call-In. The decision was made by the Strategic Director of Finance and S151 Officer on 30th September 2025.

2.3 The Key Decision that was taken using Special Urgency rules related to the appointment of a contractor to undertake environmental and flood mitigation works at Pleasley Vale Business Park. The decision was to undertake the revised scope of work for the mitigation works to be funded utilising £603,537 of the £608,537 previously agreed by the Executive on 23rd June 2025 and the allocation of £257,900 from reserves.

The Chair of the Customer Services Scrutiny Committee was informed of the decision to be taken and agreed that the decision was urgent and not subject to Call-In. The decision was made by the Executive on 1st December 2025.

- 2.4 The Key Decision that was taken related to a request from the Dragonfly Board of Directors regarding consideration of a Reserved Matter under the terms of the Dragonfly Companies Shareholder Agreement. This report was exempt and considered in private to avoid the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended by the Local Government (Access to information)(Variation) Order 2006).

The Chair of the Local Growth Scrutiny Committee was informed of the decision to be taken in respect of the exempt report and consented to consideration of the report being held in private at the above meeting of Executive. The decision was made by the Executive on 1st December 2025.

- 2.5 The Key Decision that was taken related to the Shirebrook and Langwith Public Space Protection Order Renewal. The Chair of the Customer Services Scrutiny Committee was informed of the decision to be taken and agreed that the decision was urgent and not subject to call-in. The decision was made by the Chief Executive on 15th December 2025.

3. Reasons for Recommendation

- 3.1 To fulfil a statutory duty to report Key Decisions taken under Special Urgency rules and separate constitutional duties to report decisions where call-in has been waived and to set the Key Decision financial thresholds.

4 Alternative Options and Reasons for Rejection

- 4.1 There are no alternative options as there is a statutory duty to report this information and to set the Key Decision thresholds.

RECOMMENDATION(S)

That Council:

1. notes the decisions that was been taken over the past 12 months under Special Urgency Rules;
 2. notes the decisions that have been taken over the past 12 months under Urgency provisions in the Council's Scrutiny Rules; and
 3. agrees that the financial thresholds for Key Decisions be maintained at £75,000 (Revenue) and £150,000 (Capital).
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IMPLICATIONS:

<u>Finance and Risk</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Details: There are no financial or risk implications arising from this report. <p style="text-align: right;">On behalf of the Section 151 Officer</p>
<u>Legal (including Data Protection)</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Details: There are no legal or data protection implications arising from this report. <p style="text-align: right;">On behalf of the Solicitor to the Council</p>
<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Details: There are no human resource issues implications arising from this report. <p style="text-align: right;">On behalf of the Head of Paid Service</p>
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Details: None.
<u>Environment</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment. Details: There are no environmental implications arising from this report.

DECISION INFORMATION:

<input checked="" type="checkbox"/> <i>Please indicate which threshold applies:</i>	
Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.	(a) <input type="checkbox"/> (b) <input type="checkbox"/>
Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.	(a) <input type="checkbox"/> (b) <input type="checkbox"/>

District Wards Significantly Affected:

(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)

Please state below which wards are affected or tick **All** if all wards are affected:

All

Is the decision subject to Call-In?

(Only Key Decisions are subject to Call-In)

Yes No

If yes, is the call-in period to be waived in respect of the decision(s) proposed within this report? *(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)*

Yes No

Consultation carried out:

(this is any consultation carried out prior to the report being presented for approval)

Yes No

Leader Deputy Leader Executive SLT

Relevant Service Manager Members Public

Other

Relevant Scrutiny Chairs were consulted on the decisions as per the urgency procedures

Links to Council Ambition:

Customers.

DOCUMENT INFORMATION:

Appendix No	Title

Background Papers

(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).

None.