

Divisions Affected – N/A

COUNCIL – 4 November 2025

THE USE OF SPECIAL URGENCY FOR A KEY DECISION

Report by Director of Law & Governance and Monitoring Officer

RECOMMENDATION

1. **Council is RECOMMENDED to note the use of Special Urgency for a Key Decision taken on 1 September 2025 by the Leader of the Council.**

Executive Summary

2. The Constitution makes provision for the taking of an urgent decision. Part 8.1 Section 17.3 requires that “the Leader of the Council will submit quarterly reports to the Council on any executive decisions taken in the circumstances set out in Rule 16 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken”.
3. In accordance with Rule 16 the following key decision was brought to the attention of the Chair of the relevant Overview and Scrutiny Committee who agreed that the taking of the decision could not be reasonably deferred and could be taken under the Special Urgency Procedure.
 - Woodeaton Manor Academy Funding
4. Decisions taken under Special Urgency are exempt from Call-in (Constitution Part 6.2, Section 19 (z)(iii)).

Reasons for Special Urgency

5. The Constitution specifies procedures and timescales that have to be followed where a local authority executive, committee or individual is taking a Key Decision. A Key Decision is defined in the Council’s Constitution (Part 1.3, Section 3 (b)) “as being 25% of the annual revenue budget for the relevant service block (i.e. that part of the Council’s total revenue budget allocated to the Cabinet Member for the service area concerned) or £1m, whichever is the lower figure, and £2m in the case of capital expenditure; or 25% of the people living or working in the area affected; or 25% of the capacity, frequency or hours of operation of a service or facility.”

6. Local Authorities are legally required to publicise Key Decisions in their forward plans a minimum of 28 clear days prior to the decision being taken.
7. As is common practice, the Constitution makes provision for decisions to be taken, as a matter of urgency, where it is impracticable to give the requisite notice. The General Exception rule allows Key Decisions to be taken within the 28 day period, providing the Chair of the relevant Scrutiny Committee has been informed by notice of the decision to be taken, the Council has made publicly available a copy of that notice and five clear days have elapsed since the publication of that notice.
8. In exceptional cases where a Key Decision is required to be taken even sooner and it is impracticable to wait for the five clear days required under general exception provisions, then the special urgency rules can be applied. In such instances, the decision may only be made if the decision-maker has obtained the agreement of the Chair of the relevant Scrutiny Committee, that the decision is urgent and cannot be reasonably deferred.
9. In the case of the decision on Woodeaton Manor Academy Funding, on 15 July 2025, Cabinet approved a key decision paper "Financial and land agreements relating to the conversion of Woodeaton Manor School to an academy". The [report](#) included an exempt annex setting out the financials to be agreed with the academy trust.
10. On 22 August 2025, the Director of Financial and Commercial Services notified Democratic Services that further clarification had been sought with regards to the finances for the conversion and as a result an amendment (circa £300k) was necessary for the funding agreement. As this was a change to the original sum set out in the key decision paper approved in July, it was necessary to seek approval for this change.
11. The timescale for the academisation (1 October 2025), meant that all agreements had to be in place by the end of August and signed by 1 September as set out by the Department for Education.
12. Given the Bank Holiday on 25 August 2025, it was not possible to arrange a decision meeting in accordance with the General Exception provision which would require at least five clear working days before a decision meeting. A decision was therefore required under the Special Urgency provision.
13. The Chair of the Education and Young People Overview and Scrutiny Committee was appraised of the situation and was asked to agree to the use of the Special Urgency provision in this case. The Chair gave her agreement.
14. The Leader of the Council was asked to take the urgent decision. The Leader may discharge any executive functions in accordance with Section 9E 2(a) of the Local Government Act 2000.

15. On receipt of a report into the item, the Leader of the Council made the decision on 1 September 2025. The decision was published on the Council website [Decision - Woodeaton Manor Academy Funding | Oxfordshire County Council](#)

Financial Implications

16. There are none arising from this report which is noting decisions previously taken.

Comments checked by: Ian Dyson, Director of Financial and Commercial Services, ian.dyson@oxfordshire.gov.uk

Legal Implications

17. Regulation 19 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires that the executive leader submits a report to the authority at least annually on executive decisions taken in cases of special urgency (Regulation 11), including the particulars of each decision.

This report is fulfilling both the legal and Constitutional duty to inform Council.

Comments checked by: Jay Akbar, Head of Legal and Governance Services, jay.akbar@oxfordshire.gov.uk

ANITA BRADLEY
Director of Law & Governance and Monitoring Officer

Background papers: None

Contact Officer: Colm Ó Caomhánaigh, Democratic Services Manager, colm.ocaomhanaigh@oxfordshire.gov.uk

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