



Council

15 October 2026

Use of Urgency Provisions

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Summary

This report provides details of one recent usage of urgency provisions contained within the Constitution.

1. Recommendation

- 1.1. This report is presented to full Council for information purposes in accordance with the Council Rules.

2. Budget and policy framework

- 2.1. The Council's Constitution provides for a report to be submitted to Council following the usage of urgency provisions contained within the Constitution.

3. Background

- 3.1. Rule 17 (special urgency) of the Council's Access to Information rules, as set out in the Constitution, permits the Cabinet to make decisions when compliance with Rule 15 (The Forward Plan of Key Decisions) and Rule 16 (General Exception) is not possible.
- 3.2. On such occasions, a report to Council on the Cabinet decisions taken in the circumstances set out in Rule 17 (Special Urgency) will be submitted, in accordance with paragraph 18.3 of the Access to Information rules.
- 3.3. Paragraph 3.2 of the Responsibility for Cabinet Functions permits the Leader of the Council to make urgent decisions (which would ordinarily be a matter for Cabinet) subject to compliance with the Council's Access to Information rules, as referenced in paragraph 2.2 above. As such, all reports (unless exempt) and decisions (as well as an entry on the Forward Plan) are published on the Council's website on the day any urgency decision is made.
- 3.4. Leader and Cabinet – urgency. Paragraph 15.11 (call-in and urgency) of the Overview and Scrutiny rules, as set out in the Council's Constitution, states that a decision will be urgent if any delay likely to be caused by the call-in

process would seriously prejudice the Council's or the public's interests. The record of the decision and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The chairperson (or in their absence the vice-chairperson) of the relevant Overview and Scrutiny Committee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.

- 3.5. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- 3.6. Council – urgent action. Paragraph 4.1 of the Employee Delegation Scheme states that in relation to Council responsibilities, subject to consultation with the Leaders of all the groups which comprise at least 1/10th of the membership of the Council (or their nominees), and the provisions for urgent decisions which are contrary to any plan or strategy which has been approved or adopted by the Council or which are contrary to or not wholly in accordance with the budget approved by the Council (set out in Chapter 4, Part 3 of the Constitution), the Chief Executive and Directors shall have the power to act on behalf of the Council in cases of urgency only where the urgent matter is of such a nature that it may be against the Council's interest to delay and where it is not practicable to obtain the approval of the Council.
- 3.7. Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.
- 3.8. A summary of the recent use of these provisions is set out in the following section.

4. Leader/Cabinet (executive decisions)

- 4.1. On 22 September 2026, the Cabinet considered a report in relation to Private Sector Licensing (Additional & Selective Licensing Schemes)
 - 4.1.1. In line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in can be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the Public's interests.
 - 4.1.2. In this case, the report noted that after the Cabinet decision, the Council was statutorily bound to timescales and milestones associated to implementing the scheme. This included producing and publishing public notices on the website, in physical buildings and in the local press. These had to be done within 7 days of the Cabinet decision.
 - 4.1.3. The Chairperson of the Regeneration, Culture and Environment Overview and Scrutiny Committee agreed that the decisions proposed were reasonable in all circumstances and to them being treated as a matter of urgency and to waive call-in.

- 4.1.4. The Cabinet noted the outcome of the consultation process detailed in the Consultation Report (June 2026), which provided evidence of the representations received from stakeholders, landlords, letting agents/management and residents, as set out in Appendix A to the report.
- 4.1.5. The Cabinet noted the Council's responses to comments and representations received during the public consultation, as set out in Appendix B to the report.
- 4.1.6. Under s.80 Housing Act 2004, (which allows local housing authorities in England to designate areas for selective licensing to improve social or economic conditions) the Cabinet agreed to the designation of a Selective Licensing Scheme in the nominated wards (Chatham Central & Brompton, Fort Pitt, Gillingham North, Gillingham South, Luton, Strood North & Frindsbury and Watling).
- 4.1.7. Under s.56 Housing Act 2004 (which allows local housing authorities to designate areas for additional licensing of Houses in Multiple Occupation (HMOs)) the Cabinet agreed to the designation of an Additional Licensing Scheme in the nominated wards (Chatham Central & Brompton, Fort Pitt, Gillingham North, Gillingham South, Luton and Watling).
- 4.1.8. The Cabinet agreed to delegate authority to the Director for Place, in consultation with the Portfolio Holder for Housing and Homelessness, to make changes to the proposed administration, implementation and enforcement of the schemes where necessary and to ensure that all statutory notifications were carried out in the prescribed manner for the designations and to take all necessary steps to provide for the operational delivery of the licensing schemes.
- 4.1.9. The Cabinet agreed that decisions 141, 142 and 143 [as set out in 4.1.6, 4.1.7 and 4.1.8 of this report] were considered urgent and therefore should not be subject to call in.

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Appendices

None

Background papers

None