

COUNCIL

1 SEPTEMBER 2026

REPORT OF LEADER OF THE COUNCIL

A.1 EXECUTIVE DECISION(S) TAKEN AS A MATTER OF URGENCY

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To notify Members of recent Executive Decision(s) taken in the circumstances set out in the Council's Constitution in:-

- (a) Rule 15 of the Access to Information Procedure Rules (Special Urgency); and/or
- (b) Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency); and/or
- (c) Rule 6(b) of the Budget and Policy Framework Procedure Rules.

EXECUTIVE SUMMARY

In accordance with the requirements of Rule 16.2 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules and/or Rule 6(b) of the Budget and Policy Framework Procedure Rules, this report notifies Members of recent Executive Decision(s) taken in the circumstances set out in Rule 15 of the Access to Information Procedure Rules and/or Rule 18(i) of the Overview and Scrutiny Procedure Rules.

RECOMMENDATION

That the contents of this report be NOTED.

PART 2 – SUPPORTING INFORMATION

BACKGROUND

The “Special Urgency” procedure in Rule 15 of the Access to Information Procedure Rules provides that where a key decision cannot be reasonably deferred to allow the procedure in Rule 14 (General Exception) of those procedure rules to be followed, it may still be taken with the agreement of the Chairman of the relevant overview and scrutiny committee, or failing him/her, the Chairman or Vice-Chairman of the Council.

Rule 18(i) of the Overview and Scrutiny Procedure Rules provides that the “call-in” procedure will not apply to a decision if the Chairman, or failing him/her the Vice-Chairman, of the relevant overview and scrutiny committee agrees both that the decision is reasonable in all its circumstances and that any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

DECISION(S) TAKEN AS A MATTER OF URGENCY

(1) Short Term Licence to Occupy over Rush Green Bowl, Rush Green Road, Clacton-on-Sea

On 23 June 2026, in view of the urgency of the issue concerned, and in accordance with Rule 15 of the Access to Information Procedure Rules, the Corporate Director (Planning & Community), on behalf of the Portfolio Holder for Assets & Community Safety, sought and subsequently obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's consent, that the Portfolio Holder's urgent "Part B" decision, relating to the agreement of terms for a short-term licence to Clacton Town Football Club Ltd could be taken under the special urgency procedure and therefore be automatically exempted from the call-in procedure.

The Portfolio Holder's decision was as follows:-

- (a) To agree terms for a short-term licence to Clacton Town Football Club Ltd on terms and conditions set out in Appendix A; and*
- (b) To authorise the Corporate Director for Planning and Community to complete the licence on the agreed terms and on any other terms as he considers appropriate.*

It was felt that any delay likely to be caused by the normal "Part B" decision process and/or the call-in process would have seriously prejudiced the Council's and the public's interest for the following reasons:-

"The Football Club requires the licence to be confirmed imminently in order to enter into new contracts with utility companies."

This decision enabled this Council to regularise current occupation arrangements and ensure appropriate legal and governance controls. As well as enabling continued community use of the facility whilst allowing time for a compliant and transparent tender process. It also meant that the current football club operating from the site avoided losing their place in the league, which would have prejudiced their position when it came time to submit a tender.

(2) Extension of the Householder Permit scheme through July and August 2026 for Orwell Place car park, Dovercourt

On 10 July 2026, in view of the urgency of the issue concerned, and in accordance with Rule 18(i) of the Overview and Scrutiny Procedure Rules (Call-in and Urgency), the Portfolio Holder for Leisure & Public Realm sought and subsequently obtained the Chairman of the Resources and Services Overview and Scrutiny Committee's consent, that the Portfolio Holder's urgent decision, relating to the extension of the householder permit scheme through July and August 2026 for the Orwell Place car park, Dovercourt, would be exempted from the call-in procedure.

The Portfolio Holder's decision was as follows:-

"To extend the householder permit scheme through the months of July and August 2026 for Orwell Place car park Dovercourt."

It was felt that any delay likely to be caused by the call-in process would have seriously

prejudiced the Council's and the public's interest for the following reasons:-

"That the public works in Dovercourt are already underway removing parking bays and the mitigating actions for parking to support local firms are required immediately."

BACKGROUND PAPERS

(1) Short Term Licence to Occupy over Rush Green Bowl, Rush Green Road, Clacton-on-Sea

Chairman of the Resources and Services Overview and Scrutiny Committee (Councillor Paul Honeywood)'s consent to allow the urgent "Part B" decision of the Portfolio Holder for Assets & Community Safety to taken under the Special Urgency Procedure, as set out in Access to Information Procedure Rule 15 (Part 5.8), and be automatically exempted from call-in.

(2) Extension of the Householder Permit scheme through July and August 2026 for Orwell Place car park, Dovercourt

Chairman of the Resources and Services Overview and Scrutiny Committee (Councillor Paul Honeywood)'s consent to allow the urgent decision of the Portfolio Holder for Leisure & Public Realm to be exempted from call-in.

APPENDICES

None