

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

Notice Issued Under Regulation 10 (General Exception), regarding the Intention to take Key Decisions/Consider an Item in Private without 28 clear-days notice

Regulations 5 and 9 of the above Regulations requires 28 clear days’ notice to be given of all ‘private’ and ‘key decisions’ taken on behalf of the Authority. Where that notice is impracticable, the decision can only be made where:

- the Chair of the relevant Scrutiny Committee has been informed in writing – or, if there is no such person, each member of the relevant Scrutiny Committee by notice in writing, of the matter about which the decision is to be made;
- the Council has issued a Public Notice (i.e. this Notice), setting out the reasons why compliance with Regulation 9 is impracticable; and
- five clear days have elapsed following the issue of the Notice.

Notice is hereby given in accordance with Regulation 10 that the Executive intends to make the following key decision/decision in private exempt session, without the 28 clear-days’ notice:

Matter for Decision:	Maintained Nursery Provision Funding Distribution
Decision Maker:	Executive

Notice Published:	18 th March 2022
Expected Decision Date:	29 th March 2022

Reason why impracticable to comply with Regulation 9	The Council has been working with key stakeholders to clarify the total funding available and distribution methodology for the Maintained Nurseries Supplement (MNS) grant for the financial year 2022/23. Due to a reduction in the overall level of grant provided by Department for Education (DfE) , it is not possible to maintain allocations at current (2021/22) levels, and historic decisions have led to an inequitable split of grant between the four nurseries. Therefore, the decision the Executive makes is likely to significantly impact on more than two wards and so will be considered a Key Decision. Due to the uncertainty around funding levels, and the need to provide the nursery schools with a budget before April 2022, there is now insufficient time to provide notice of the decision making in line with constitutional requirements.
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The Chairs of the Scrutiny Commission and the Finance and Resources Scrutiny Committee were informed of the intention to take the key decision detailed above by email, dated 17th March 2022.



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