

NOTICE of reasons for General Exception – KEY DECISION

NORTH HERTFORDSHIRE DISTRICT COUNCIL (“the Council”)

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

The Council intends to make a key decision under delegated authority by Anthony Roche, Managing Director on 29 July 2022. A Part 1 report not previously notified to the public will be considered in respect of the allocation of funds from the UK Shared Prosperity Fund.

1. The Managing Director is deemed to be a relevant “decision-making body” under the Regulations.
2. In these Regulations a “key decision” means an executive decision, which is likely—
 - (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority’s budget for the service or function to which the decision relates; or
 - (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority
3. Under Regulation 9, the Council is required to give notice of its intention to make a Key Decision, at least 28 clear days before the date of this meeting and publish this on its website.
4. Where publication of the intention to make a Key Decision under Regulation 9 is impracticable, that decision may only be made –
 - (a) where the proper officer has informed the Chairman of the Overview and Scrutiny Committee or, if there is no such person, each member of the relevant Overview and Scrutiny Committee by notice in writing, of the matter about which the decision is to be made;
 - (b) where the proper officer has made available at the offices of the relevant local authority for inspection by the public and published on the relevant local authority’s website, a copy of the notice given pursuant to sub-paragraph (a); and
 - (c) after five clear days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b).
5. As soon as reasonably practicable after the agreement has been obtained, the Council must publish a notice setting out the reasons why compliance with Regulation 9 is impracticable.
6. The Council has informed the Vice-Chair of the Overview and Scrutiny Committee, in the absence of the Chair, that compliance with Regulation 9 was impracticable for the following reasons:

STATEMENT OF REASONS

The deadline for submission of the investment plan to Government is 1 August 2022. Therefore, there would be insufficient time for call-in of the decision prior to its implementation.

Reference to the investment plan will be made in reports to various Committees through September, which is expected to be prior to any Government approval of the plan and therefore the commencement of spending any allocated funds.

The Chair of the Overview and Scrutiny Committee was unavailable and therefore, under point 15.15 of the Constitution, the Vice-Chair of the Committee was consulted and agreed this was a urgent decision.

Signed: Jeanette Thompson
Proper Officer of the Council
Date: 28 July 2022