

## **NOTICE of reasons for Urgency**

### 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 hold a public meeting of the Cabinet on 13 December 2022, 7:30PM at which Part 1 and Part 2 reports will be considered in respect of Careline In House Provision for Complex Installation and Maintenance (which have previously been notified to the public).

Under Regulation 5 – at least five clear days before a private meeting, the decision-making body must:

- (a) make available at the offices of the relevant local authority a further notice of its intention to hold the meeting in private; and
- (b) publish that notice on the relevant local authority’s website, if it has one.

Although published it has not been actioned within the required timescales.

Following the publication of the 28-day notice on 14 November 2022, there had been no representations received in objection to the holding of a private session.

1. This Committee is deemed to be a relevant “decision-making body” under the Regulations.
2. It is likely that this meeting will be held in private or at this meeting, the Council will exclude members of the public and press from part of this meeting, for one or both of the following reasons:
  - (a) In view of the business to be transacted or the nature of the proceedings, if members of the public were present, it is likely that confidential information would be disclosed to them in breach of the obligation of confidence
  - (b) In view of the nature of the item of business to be transacted, if members of the public were present during the item, exempt information would be disclosed to them
3. Under Regulation 5, the Council is required to give notice of its intention to hold this meeting, or part of this meeting, in private, at least 28 clear days before the date of this meeting and to give a statement of reasons for this meeting, or part of this meeting, to be held in private.
4. Where the date by which a meeting must be held, makes compliance with this Regulation impracticable, the meeting may only be held in private where the agreement of the Council’s Chairman of the Overview and Scrutiny Committee (or if s/he is unable to act, the Chairman of the Council) has been obtained, for the reason that the meeting is urgent and cannot reasonably be deferred.
5. As soon as reasonably practicable after the agreement has been obtained, the Council must publish a notice setting out the reasons why the meeting was urgent and could not reasonably be deferred.
6. The Council has obtained the agreement of the Council’s Chairman of the Overview and Scrutiny Committee to waive compliance with the Regulations for this meeting. The reasons why the meeting was considered urgent and could not reasonably be deferred are as follows:

#### **STATEMENT OF REASONS**

The options regarding the Careline In House Provision for Complex Installation and Maintenance is commercially sensitive under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

The current contract is due to end in March 2023 and due to the timescales, the decision cannot practicably be delayed to the next Cabinet meeting on 31 January 2023.

Jeanette Thompson - Proper Officer of the Council  
Date: 09/12/2022