



**North East
Derbyshire**
District Council

Cabinet

Thursday 7 July 2022

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

Notice is hereby given in accordance with Regulation 5 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that two reports containing Exempt information will be considered by Cabinet, at its meeting on Thursday 7 July 2022. Although notice of these decisions were published on the Council's website, publication did not take place 28 clear days before they were due to be considered by Cabinet, as required by these regulations.

Purpose of the Reports

(A) Strategic Assessment of the Clay Cross Low Carbon Energy Network Strategy (LCENS)

To provide assurance that the LCENS provides good value for money for the public and to delegate authority to Section 151 Officer (The Director of Finance) to finalise the documents in readiness for submission to the Department for Levelling-up, Housing and Communities (DLUHC) for final approval.

Notice of the Decision was published on the Council's website. However, it later became apparent that the financial implications of the decision would have to be considered in private. As such, compliance with the requirement to give 28 clear days' notice of an exempt decision, in accordance with the above Regulation, would be impracticable, as the matter is urgent and cannot reasonably be deferred.

Reason for urgency:

To enable the next steps to be taken to now unlock specific funding for the project, in line with the deadlines for the fund. And in particular, to provide assurances that the LCENS provides good value for money to the public.

The Chair of the Growth Scrutiny Committee has been informed of the decision to be taken in respect of the exempt report at the above meeting of Cabinet.

(B) Strategic Assessment for Clay Cross Rail Study

To provide assurance that the Strategic Assessment for the Clay Cross Rail Study provides good value for money for the public and to delegate authority to Section 151 Officer (The

Director of Finance) to finalise the documents in readiness for submission to the Department for Levelling-up, Housing and Communities (DLUHC) for final approval.

Notice of the Decision was published on the Council's website. However, it later became apparent that the financial implications of the decision would have to be considered in private. As such, compliance with the requirement to give 28 clear days' notice of an exempt decision, in accordance with the above Regulation, would be impracticable, as the matter is urgent and cannot reasonably be deferred.

Reason for urgency:

To enable the next steps to be taken to now unlock specific funding for the project, in line with the fund deadlines. And in particular, to provide assurances that the Strategic Assessment for the Clay Cross Rail Study provides good value for money to the public.

The Chair of the Growth Scrutiny Committee has been informed of the decision to be taken in respect of the exempt report at the above meeting of Cabinet.

A handwritten signature in black ink that reads "Sarah Sternberg". The signature is written in a cursive, flowing style.

Sarah Sternberg
Assistant Director of Governance and Monitoring Officer
North East Derbyshire District Council
[29 June 2022]