

## Statutory Notice for a Key Decision under General Exception provisions

<b>Subject:</b>	Exempt report - Re-opening of the Spelthorne and Sunbury Leisure Centres - request for funding - Key Decision
<b>Purpose:</b>	To consider a request for funding from Sports and Leisure Management to enable the re-opening of Spelthorne and Sunbury Leisure Centres.
<b>Decision Maker:</b>	Cabinet
<b>Expected Decision Date:</b>	Wednesday, 22 July 2020
<b>Contact Officer:</b>	Lee O'Neil, Deputy Chief Executive Tel: 01784 446377 l.oneil@spelthorne.gov.uk

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is hereby given that an Executive Key Decision is required to be taken under General Exception provisions as it is not possible to provide at least 28 clear days' notice of the decision but it is possible to give at least 5 clear days' notice of the decision.

As required under the above regulations, the Chairman of Overview and Scrutiny Committee will be notified of the above decision being taken under the General Exception provision.

This notification will be published as soon as possible before the decision is taken, stating why the decision must be taken urgently.

<b>Notice Published:</b>	14 July 2020
<b>Urgent?</b>	Yes
<b>Reason why it is impractical to provide 28 clear days' notice of the decision:</b>	
The Government announcements of the releasing of lockdown measures in response to the COVID-19 pandemic are being released at short notice. The date for the reopening of the leisure centres was announced on the 9th July. SLM have indicated a requirement for financial funding for the re-opening of the centres. As the Government guidance on how the leisure centres will be operating (e.g. the uncertainty of whether a 2 metre distancing or 1m + would apply) are changing on a daily basis and these measures all have an impact on the operation of the centres and the potential income thereof, SLM have only been able to provide financial details in the last week and there is still some ongoing work and discussions around these. There was not a 28 day period between the notification by government of the opening of the centres and the date required for a decision to open the centres as soon as possible for the public to use.	

### Further details of the decision to be taken:

<b>Documents to be submitted to the Decision-Maker:</b>	Exempt Report
Where the above documents are open to public inspection, copies will be published on the Council's website at least one week before the decision is made.	
Other documents relevant to these matters may be submitted to the decision-maker. Copies of	

open material will be published on the Council's website as soon as they become available.	
<b>Background Papers Used:</b>	
<b>Consultation Details:</b>	No

<b>Is this report likely to be considered in private session and if so, why?</b>	<p>It is likely that this item will be Private as the report and one or more of its appendices may be exempt from publication in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended): Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>The public interest in being transparent in transactions is outweighed by the financial affairs of the leisure operator being disclosed in discussions; this being financial information which is not publically accessible. If the Council made this available to the public then it could impact the financial position of the operator as their competitors would have access to such information which in turn might affect the viability of the centres moving forward</p> <p>Representations may be made in favour of this decision being taken in public and/or disclosing any exempt and/or confidential information by contacting the Head of Corporate Governance, Victoria Statham, on 01784 446241 no later than 3 days before the decision is to be made. The decision-maker will consider all representations and respond one day before the decision date.</p>
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Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is hereby given that it is impracticable to give 28 working days' notice of the intention to hold a meeting, or part of a meeting, in private.

As required under the above regulations, the agreement of the Chairman of Overview and Scrutiny Committee will be sought, that the meeting is urgent and cannot reasonably be deferred.

As soon as possible after agreement to hold a private meeting has been obtained, we will publish a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred

<b>Reason why it is impractical to provide 28 clear days' notice of the intention to hold a meeting in private:</b>
<p>The Government announcements of the releasing of lockdown measures in response to the COVID-19 pandemic are being released at short notice. The date for the reopening of the leisure centres was announced on the 9th July. SLM have indicated a requirement for financial funding for the re-opening of the centres. As the Government guidance on how the leisure centres will be operating (e.g. the uncertainty of whether a 2 metre distancing or 1m + would apply) are changing on a daily basis and these measures all have an impact on the operation of the centres and the potential income thereof, SLM have only been able to provide financial details in the last week and there is still some ongoing work and discussions around these. There was not a 28 day period between the notification by government of the opening of the centres and the date required for a decision to open the centres as soon as possible for the public to use.</p>

<b>Representations made</b>	
<b>Response to representations</b>	