

ISLE OF WIGHT COUNCIL

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

Notice of intention to hold the meeting of the Cabinet partly in private – Agreement of the Chairman of the Corporate Scrutiny Committee under Regulation 5 (6) (a).

Under these regulations the local authority is required under reg. 5(2) to give at least 28 days' clear notice if it intends to hold a meeting of the Cabinet in private or partly in private. This is done on occasions where there is a report which contains 'confidential information' or 'exempt information' under reg 2.

Where it is impracticable to give the required notice, to allow the meeting to still take place privately the Cabinet must first obtain the agreement of the Chairman of the Corporate Scrutiny Committee that the meeting is urgent and cannot reasonably be deferred (reg. 5(6)(a)). Where such agreement is obtained, the Cabinet must, as soon as reasonably practicable, make available at its offices and on the local authority's website a notice, setting out the reasons why the meeting is urgent and cannot reasonably be deferred. (reg. 5(7)).

It was impracticable to give at least 28 days' clear notice. It was originally thought that the report would be made public from the outset, but this changed resulting in that there was no longer enough time to give the standard notice. The Local Government and Social Care Ombudsman has directed and clarified that the giving of public notice (in the press within two weeks of the receipt of the report under section 30 (5) of the Local Government Act 1974) that the report could be publicly inspected was required to be delayed until their report can be first published on their website.

Please take notice that the Cabinet intends to consider the following report in private session at its meeting on 11 March 2021 and the Chairman of the Corporate Scrutiny Committee has given agreement on 19 February 2021 for the decision in relation to that report to be taken as the meeting is urgent and cannot reasonably be deferred.

| Report | Reason report is Private | Reason why the meeting is urgent and cannot reasonably be deferred |
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| Consideration of and decision on the report of the Local Government and Social Care Ombudsman dated 21 January 2021 | It contains confidential information under reg. 2. The Local Government and Social Care Ombudsman report has been supplied under an obligation of confidence and has required their report to be kept confidential until the LGSCO publishes on their website. | The Local Government and Social Care Ombudsman requires the local authority's response to its report within three months and is expecting to publish their report on or after 11 March 2021. |
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Christopher Potter

Monitoring Officer

23 February 2021