

NOTICE OF A CASE OF SPECIAL URGENCY FOR THE MAKING OF A KEY DECISION¹

¹ In accordance with Regulation 11(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. Where a decision maker intends to make a key decision,² that decision must not be made until at least 28 clear days' public notice has been given³.
2. Where the publication of the intention to make a key decision is impracticable, that decision may only be made where the Chair of the Overview and Scrutiny Committee has been informed of the matter about which the decision is to be made, notice to the Chair has been made available for public inspection at the Council offices and published on the Council's website, and after 5 clear days have elapsed following the day on which notice to the Chair was made publicly available⁴.
3. Where the date by which a key decision must be made makes compliance with the requirements of paragraph 2 above impracticable the decision may only be made where the decision maker has obtained agreement from the Chair of the Overview and Scrutiny Committee that the making of the decision is urgent and cannot reasonably be deferred⁵.
4. **This notice⁶ confirms that the Chair of the Overview and Scrutiny Committee has agreed that the making of the key decision in relation to the business set out below is urgent and cannot reasonably be deferred for the reasons set out below.**

² A Key Decision is defined in legislation as an executive decision, which is likely:

- to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- 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 local authority.
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³ In accordance with Regulation 9(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

⁴ In accordance with Regulation 10(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

⁵ In accordance with Regulation 11(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

⁶ In accordance with Regulation 11(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Date of decision or period within which the decision is to be made	Agenda item title	Short description	Decision maker	Cabinet Member & Lead Officer	List of documents to be submitted to the decision maker	If all or part of the report is exempt or confidential this will be stated below and reason given. If all the papers are publicly accessible this column will say public	Reasons why decision is urgent and cannot reasonably be deferred
Between 12-Jan-2023 and 20-Jan-2023	Schools Funding Formula 2023-24	To approve the Schools Funding Formula 2023-2024. The Council is required to submit the Authority Proforma Tool to the Education and Skills Funding Agency (ESFA) on 20 January 2023, following the decision-making meeting of the Schools' Forum on 12 January 2023. This decision requires Cabinet Member Signing before the funding allocation can be submitted to the ESFA for approval.	Cabinet Member Signing	Cabinet Member for Children, Schools, and Families Assistant Director for Schools and Learning	Report of the Director of Children's Services	Public	<p>This decision will include the usual agenda notification period of five clear working days but it will be an urgent decision as the call-in procedure shall not apply as the Council is legally required to submit the Authority Proforma Tool to the Department for Education (DfE) by 20 January 2023.</p> <p>The final Schools Block Allocation will be confirmed by the Education and Skills Funding Agency in late December. The service is legally required to consult with the Schools' Forum which will take place at the Schools' Forum meeting on 12 January 2023. Any comments made by the Schools' Forum will be tabled and considered by the Cabinet Member.</p> <p>Given the above, it is not practicable to comply with the 28-day notice requirement in Part Four, Section D, Rule 13 of the constitution or the 5-day notice period requirement for key decisions. This is set out in Part Four, Section D, Rule 17, of the Constitution.</p>

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Please be advised that the Chair of Overview and Scrutiny has agreed that the call-in procedure shall not apply to this urgent decision. This is because the decision is urgent and any delay in implementation caused by the call-in procedure would seriously prejudice the Council's or the public's interests due to the fact that the Council is legally required to submit the Authority Proforma Tool to the Department for Education (DfE) by 20 January 2023. This decision will ensure that the Council meets its legal obligations and will allow the authority to detail its schools block funding (SBF) formulae to model and confirm how it plans to fund for the funding year. Accordingly, the Chair of Overview and Scrutiny Committee has agreed that the decision is both reasonable in all circumstances, and that it should be treated as a matter of urgency. This is in accordance with Part 4, Section H, and Paragraph 18 (a) and (b) of the Council Constitution.

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