

NEW FOREST DISTRICT COUNCIL

THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012

CABINET – 6 DECEMBER 2023 – EXCLUSION OF THE PRESS AND PUBLIC

Notice is hereby given under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that part of the meeting of the Cabinet on 6 December 2023 will be held in private.

The Cabinet will be considering a report entitled '**Freedom Leisure Contract Variation**', in respect of the Council's partner, Freedom Leisure.

Part of the report will contain exempt information which, if disclosed, would prejudice the Council's fair access to legal advice.

The information is exempt by virtue of Paragraph 5 in Part 1 of Schedule 12A of the Local Government Act 1972 and the public interest in maintaining the exemption outweighs such interest in disclosing the information.

In accordance with the Regulations, agreement has been obtained from the Chairmen of the relevant Overview and Scrutiny Panels that this matter is urgent and cannot reasonably be deferred. The reasons for urgency are as follows:-

The matter cannot reasonably be deferred until the next programmed meeting of Cabinet which is scheduled for 7 February 2024. Freedom Leisure require a decision as a matter of urgency as to the support that the Council is prepared to give them arising out of the continuing energy crisis, as this is having a significant impact on the leisure centre business. The requisite 28 clear days' notice of the Council's intention to exclude the press and public to consider confidential legal advice in respect of the Freedom Leisure Contract Variation decision was not given, and approval was sought from the relevant Chairmen of the Council's Overview and Scrutiny Panels for the matter to proceed with a lessor period of notice, namely 25 days clear notice, rather than the required 28 days clear notice on the basis of the need for urgency to deal with this matter at this time.

Note:-

Description of Exempt Information – Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

KATE RYAN
CHIEF EXECUTIVE

10 November 2023