

Notice to the Chair of the Community and Wellbeing Scrutiny Committee



Urgent Key Decision form

DECISION DETAILS
Decision Maker: Corporate Director for Children, Young People and Community Development
Decision Title: AUTHORITY TO AWARD CONTRACT FOR PROVISION OF EARLY YEARS
Description of Decision: This agreement allows the Council to provide Dedicated Schools Grant (DSG) funding to eligible nurseries and childminders to deliver funded childcare places. It sets out the funding terms and provider requirements, including compliance with Ofsted and statutory guidance. The agreement covers the 2026/27 and 2027/28 funding years and supports the Council's duty to provide funded early years education and childcare.
When will the Decision be made? 08/07/26
Will the accompanying report be: Open ☐ Part Exempt ☒ Fully Exempt ☐
Reasons for exemption (if applicable) The report will contain the following category of Information exempt from publication under the Schedule 12A of the Local Government Act 1972, namely information relating to the financial or business affairs of any particular person (including the authority holding that information). The exemption applies to Appendix 1 as it contains commercially sensitive information relating to the funding arrangements with early years providers.
TYPE OF URGENCY
Please tick all that apply: ☐ A. The decision is urgent and <u>28 clear days' notice</u> of the decision cannot be given but at least 5 clear days' notice can ☒ B. The decision is extremely urgent and even <u>5 clear days' notice</u> of the decision cannot be given ☐ C. The decision will be made by members at a meeting and <u>28 clear days' notice</u> that the proposed decision may be discussed in private (i.e. the report will contain information <u>exempt from publication</u>) cannot be given ☒ D. The decision must be implemented urgently and the <u>5 day call-in period must be dis-applied</u> to allow the decision to take immediate effect.
REASONS FOR URGENCY
If you have selected options A, B or C please explain: ▪ Why it was not possible to provide the required notice (i.e. why the decision or exemption was not anticipated)

The need for the decision arose within a limited timeframe due to the requirement to have funding arrangements in place before the end of the academic term. Updated legal advice on governance processes relating to the awarding of contracts for provision of early years meant it was not reasonably practicable to comply with the usual notice and Forward Plan requirements. With this updated legal advice, there was insufficient time available, in advance, to allow the requisite notice period to be given.

- **Why it is impractical to defer the decision to a later date to allow the appropriate notice to be provided.**

Deferring the decision would delay the implementation of the funding arrangements and could disrupt the timely allocation of Dedicated Schools Grant (DSG) funding to early years providers. It is therefore necessary to take the decision urgently to ensure that agreements are in place before the end of the academic term and that there is no interruption to the delivery of funded early years childcare provision across the borough.

If you have selected Option D please explain why the council's interest or the public interest would be seriously prejudiced by the decision not taking immediate effect.

The school term ends on 23 July 2026, and the majority of schools and early years providers will shortly enter the summer holiday period. Any delay in implementing the decision would significantly reduce the opportunity for providers to review, sign, and return the funding agreements before the commencement of the funding period. This could delay the allocation of Dedicated Schools Grant (DSG) funding, create uncertainty for providers, and risk disruption to the planning and delivery of funded childcare places. Immediate implementation is therefore necessary to ensure that agreements are executed in a timely manner, funding arrangements are in place, and eligible children and families continue to have uninterrupted access to funded early years provision.

SIGN-OFF

**Corporate Director Children Young People and
Community Development**

Printed Name: Nigel Chapman

Signature: *N. Chapman*

Chief Executive

Printed Name: Kim Wright

Signature: *K. Wright*

THE FOLLOWING SECTION IS TO BE COMPLETED BY GOVERNANCE SERVICES

CHAIR OF SCRUTINY

Notice to: Cllr Madabhushi

The Chair is asked to:

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Note that an urgent decision will be taken as detailed in the form above.

The decision is deemed urgent because insufficient (less than 28 days) notice of the intention to take the decision was provided on the Forward Plan. However, at least 5 clear days' notice has been provided and therefore the Scrutiny Chair is only required to note that the decision will be taken.

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Permit the extremely urgent decision to be taken as detailed in the form above.

The decision is deemed extremely urgent as less than 5 clear days' notice of the intention to take the decision has been provided. The Scrutiny Chair is asked to agree that the decision is urgent and cannot be reasonably deferred for the reasons detailed in the form above.

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Permit discussion of exempt information in private relying on Schedule 12A of the Local Government Act 1972

If a report is likely to contain information exempt from publication under schedule 12A of the Local Government Act 1972, then 28 days' notice of this must be provided on the Forward Plan. Where this requirement has not been met, the agreement of the Scrutiny Chair is required before proceeding.

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Permit the dis-application of the 5 day call-in period, allowing the decision detailed in the form above to take immediate effect.

A Cabinet decision or a Key Decision cannot be implemented until the 5 day call in period has elapsed and no valid call-in has been received. The call-in protocol can be dis-applied if the council's or the public interest would be seriously prejudiced by the decision not taking immediate effect. The Chief Executive must determine whether a decision is urgent in this regard. The consent of the Scrutiny Chair to the matter being treated as urgent is also required.

SIGN-OFF

Notice sent to Cllr Madabhushi on 08/07/26

Chair's approval:

Required ☒

Not Required ☐

Date approval granted (if applicable): 16/07/26