Rother District Council

Publicity in connection with Key Decisions – General Exception

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

When 28 clear days' notice cannot be given of the intention to take a decision which meets the Council's Constitution definition of a Key Decision, the Chief Executive is required to inform the Chair of the Overview and Scrutiny Committee, of the matter about which the decision is to be made.

In accordance with Regulation 10, notice is hereby given that the following key decision is intended to be taken on behalf of Rother District Council at the Cabinet meeting to be held on Monday, 7 December 2026. A copy of this Notice has been made available for public inspection at the Town Hall, Bexhill-on-Sea and has been published on the Council's website.

Reference from the Shareholder Executive Committee - Performance Monitoring Report – Development Facility Agreement (DFA)

The Chair of the Overview and Scrutiny Committee, Councillor Paul Osborne, was informed in writing on Wednesday 11 November 2026.

Why it is impracticable to give 28 clear days' notice

The Key Decision notice (Forward Plan) was published on 10 November 2026 which was insufficient for the Cabinet meeting scheduled on 7 December 2026, providing 26 days' clear consecutive notice (not including the day the item was added to the Forward Plan nor the day of the Cabinet meeting).

The decision within the report needs to be taken using the general-exception procedure and within timescales which do not allow for the usual required number of days (28 clear, consecutive days) for advance notification of a Key Decision.

It is impracticable to give 28 clear consecutive days' notice as the latest cashflow projections require the Development Facility Agreement (DFA) to be extended as soon as possible until 31 July 2029, so as not to cause any delay to the transfer of homes. It is therefore impracticable to defer the decision until it can be included in the next Forward Plan cycle.

The next scheduled meeting of Cabinet, after the 7 December meeting, takes place on 8 February 2027, and this decision cannot wait until that time.

The Agenda for the meeting of Cabinet where this matter will be determined, will be published on Friday 27 November 2026.

Lorna Ford
Chief Executive
12 November 2026