

From:
To:
Cc:
Subject: Re: URGENT -Bright Stars Nurseries UK Limited Provision of 1140 hours – Decision in relation to Funding Contract
Date: 01 September 2022 16:15:49

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear _____,

Thank you for your email. I am obliged for the information in relation to the timing of the communication to parents and third parties.

You will receive a full response as soon as possible and by 12 noon on Monday at the latest.

I confirm that our clients have instructed _____ QC in this matter.

Regards

Solicitors

On 1 Sep 2022, at 15:46, _____ k> wrote:

Dear _____

In light of your e-mail confirming that your client has instructed you to apply to the Court of Session for judicial review of the Council's decision. What it is you/your client considers to be unlawful?

I would appreciate your response no later than 12 noon on Monday otherwise the Council will proceed to inform parents and third parties as planned.

Yours faithfully

Service Manager - Governance

Solicitor

East Lothian Council | John Muir House | Haddington | EH41 3HA

From:

Sent: 01 September 2022 14:24

To:

Cc:

Subject: RE: URGENT -Bright Stars Nurseries UK Limited Provision of 1140 hours – Decision in relation to Funding Contract

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon

Could I ask that you please share with me the proposed press release and also exactly when you plan to release it? I look forward to hearing from you.

**Managing Director of Childcare and Operations West
Bright Stars Nursery Group**

From:

Sent: 01 September 2022 12:01

To:

Cc:

Subject: FW: URGENT -Bright Stars Nurseries UK Limited Provision of 1140 hours – Decision in relation to Funding Contract

Dear

I have been passed your e-mail and note the terms.

I confirm that the Council is neither willing or able to provide such undertaking.

The next step in our procedure is to issue communications to inform parents of our decision.

Yours faithfully

**Service Manager - Governance
Solicitor**

East Lothian Council | John Muir House | Haddington | EH41 3HA

From:

Sent: 01 September 2022 10:18

To:

Subject: URGENT -Bright Stars Nurseries UK Limited Provision of 1140 hours – Decision in relation to Funding Contract

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear

I refer to your letter below.

We have instructions to apply to the Court of Session for judicial review of the Council's decision.

Please will the Council provide an immediate undertaking NOT to communicate this decision to any third party including parents. We are presently checking judicial availability for an interdict hearing at the Court of Session this afternoon. We assume the Council has a Caveat in place and we request details of the Council's solicitors. We trust an undertaking can be provided and interdict hearing will not be necessary. If necessary we will invoke the Court's out of hours procedure over the weekend to protect our client's position.

If this decision is publicised our client will hold the Council liable for the significant reputational damage and loss it will suffer.

Please acknowledge this email and revert with your position on an undertaking by 12 midday today.

Regards

Solicitors