

Statutory Notice of a Key Decision under Urgent Action provisions

Subject:	Acquisition T
Purpose:	To consider a proposal to purchase a property within the Borough
Decision Maker:	Cabinet
Expected Decision Date:	Tuesday, 11 December 2018
Contact Officer:	Nick Cummings, Property and Development Manager n.cummings@spelthorne.gov.uk

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is hereby given that an Executive Key Decision is required to be taken under Urgent Action provisions and it is impracticable to give 28 working days' notice of the intention to hold a meeting, or part of a meeting, in private.

As required under the above regulations, the agreement of the Chairman of Overview and Scrutiny Committee is being sought, that the meeting is urgent and cannot reasonably be deferred.

As soon as possible after agreement to hold an urgent meeting has been obtained, we will publish a further notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred.

Notice Published:	10 December 2018
Urgent?	Yes
Reason for Urgency and why it is impractical to provide 28 clear days' notice of the intention to hold a meeting in private:	The site has very recently come to the attention of the Council as a redevelopment opportunity. The timescales for bidding are extremely tight and it is not possible to defer the decision until the expiry of 28 working days for the publication of notices under the regulations, as the Council will have missed the deadline for submitting its bid to acquire the site. The deadline for submitting bids is Wednesday 12 December 2018.

Further details of the decision to be taken:

Documents to be submitted to the Decision-Maker:	Report
Where the above documents are open to public inspection, copies will be published on the Council's website at least one week before the decision is made.	
Other documents relevant to these matters may be submitted to the decision-maker. Copies of open material will be published on the Council's website as soon as they become available.	
Background Papers Used:	To be advised
Consultation Details:	No

<p>Is this report likely to be considered in private session and if so, why?</p>	<p>It is likely that this item will be Private as the report and one or more of its appendices may be exempt from publication in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended):</p> <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>This report contains exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006 Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information) and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because, disclosure to the public would prejudice the financial position of the authority in the bidding process for the site by allowing other bidders to know the position of the Council. This in turn prejudices the Council by (i) distorting the bids process and (ii) prejudicing the opportunity for the Council to acquire a site through the Council for the prudent management of its financial affairs.</p>
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