

Statutory Notice for a Key Decision under Urgent Action provisions

Subject:	Investment acquisition in the Borough - B
Purpose:	To consider a request to purchase the investment property within the Borough
Decision Maker:	Cabinet
Expected Decision Date:	Tuesday, 25 October 2016
Contact Officer:	Heather Morgan, Group Head - Regeneration and Growth Tel: 01784 446352 h.morgan@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 as it is not possible to provide at least 28 clear days' notice of the decision.

As required under the above regulations, the agreement of the Chairman of Overview and Scrutiny Committee will be sought for the above decision being taken under the Urgent Action provision.

This notification will be published as soon as possible before the decision is taken, stating why the decision must be taken urgently.

Notice Published:	Tuesday 18 October 2016
Urgent?	Yes
Reason why it is impractical to provide 28 clear days' notice of a Key decision:	
In order to secure the property on favourable terms the Council needs to progress with the acquisition with due haste as one would expect with commercial property negotiations. The offer for the property will be strengthened considerably if it is backed by a decision by Cabinet to authorise the purchase. It is therefore not possible to defer the decision until the expiry of 28 working days for the publication of notices under the regulations, as this would put the Council at a considerable disadvantage in the negotiations.	

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): Information relating to the financial or business affairs of any particular person (including the authority holding that information) In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the bidding/negotiation process is confidential and disclosure of the Council's interest, or the sums, would distort fair competition for the site and prejudice the Council's ability to acquire the site in the public interest.</p>
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Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is hereby given that 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 will be sought, that the meeting is urgent and cannot reasonably be deferred.

<p>Reason why it is impractical to provide 28 clear days’ notice of the intention to hold a meeting in private:</p>
<p>In order to secure the property on favourable terms the Council needs to progress with the acquisition with due haste as one would expect with commercial property negotiations. The offer for the property will be strengthened considerably if it is backed by a decision by Cabinet to authorise the purchase. It is therefore not possible to defer the decision until the expiry of 28 working days for the publication of notices under the regulations, as this would put the Council at a considerable disadvantage in the negotiations.</p>