

**NOTICE OF AN URGENT DECISION OUTSIDE THE REQUIREMENTS FOR
HOLDING A PRIVATE MEETING**

MATTER – KNOWLE GREEN ESTATES LTD

Dear Cllr Davis

I am writing to you in your capacity as Chairman of the Overview and Scrutiny Committee to ask if you will allow the following matter to proceed (partly) in private without the requisite 28 days' notice being given on the forward plan.

The item is the Knowle Green Estates Ltd report which is planned to go to Cabinet on 11 May 2017. The report is about the running of the company, the development of a business plan and seeking agreement for a number of documents:

- (i) The Business Plan
- (ii) Revised Articles of Association
- (iii) Shareholder Agreement
- (iv) Loan and Drawdown Agreement
- (v) Resourcing Agreement

Background

The company was formed in May last year in order to hold Harper House when it was purchased. Since that time, officers have been working (a) on the above documents and (b) on further development plans for Harper, Churchill and Bugle.

We are now at a stage where the company is bringing forward its work on Harper and the Council is commissioning the work for Churchill and Bugle which may then be transferred in to the company.

The main report on 11 May will be open but we consider that the Business Plan, the Shareholder Agreement, the Loan and Drawdown Agreement and the Resourcing Agreement are confidential for commercial reasons. I therefore asked for those to be exempt from publication. The issue is that with Easter and May bank holidays we now could only give 27 days instead of 28 days' notice.

Options

There are two options:

- (i) Delay the reports a cycle so that a full 28 days' notice can be given
- (ii) Seek your agreement that the reports are urgent and cannot reasonably be delayed so that a full 28 days' notice does not have to be given. Here I would submit that whilst the plans and documents have been in development for nearly a year, we are now coming to the stage where the company needs to be funded and contracts let and so further delay is unreasonable and the report should proceed on 11 May.

Please can you confirm if you are happy to shorten the period of notice?

If you have any questions on this I would be happy to speak to you about them.

Best wishes

Michael

Agreement of Chairman of Overview and Scrutiny Committee

Dear Michael,

I am very happy to agree the course proposed.

Regards
Colin Davis

Chairman of the Overview and Scrutiny Committee

Date: 30 March 2017