

**NOTICE OF AN URGENT DECISION OUTSIDE THE ACCESS TO
INFORMATION RULES AS LAID OUT IN THE COUNCIL CONSTITUTION
AND OUTSIDE THE REQUIREMENTS FOR HOLDING A PRIVATE
MEETING**

**MATTER – ACQUISITION OF A SITE OUTSIDE THE BOROUGH TO
SECURE A LONG TERM INCOME STREAM FOR THE COUNCIL**

As Chief Executive of Spelthorne Borough Council, and in accordance with the Council's Constitution, I hereby give you, as Chairman of the Overview and Scrutiny Committee, formal notice that a key decision is to be made on the acquisition of a site outside the borough (on the northern side of Heathrow Airport) in order to secure a long term income stream for the Council.

This key decision falls outside the requirement for the decision to be publicised on the Forward Plan 28 working days prior to the decision being made. In addition, this key decision falls outside the requirement to give 28 working days' notice prior of a meeting being held in private.

Urgency Notice (Councils Constitution (section 15 of the Access to Information Rule, Part 4 (f)) paragraph 16

In accordance with the above, I am required to seek your agreement to make a key decision in advance of it being published on the Forward Plan for 28 clear days. Your agreement is required for an Urgency Notice because the Council is only able to give less than five clear working days' notice before the decision is made.

Exempt urgency - Local Authorities (Executive Arrangements) (meetings and Access to Information) (England) Regulations 2012 paragraph 5.(6).

In accordance with the above, I need to seek your agreement to hold a meeting in private in advance of Notice being given 28 working days prior to that meeting. In so doing I need to set out why the matter is urgent and why it cannot be reasonably deferred.

Reason for urgency

A bid has already been submitted in order to secure an off market acquisition before competitors are made aware of the opportunity. The bid will be strengthened considerably if it is backed by a decision by Cabinet to formally authorise the level of the bid. It is therefore not possible to defer the decision until the expiry of 28 working days since its inclusion on the Forward Plan, as this would delay the process significantly and will mean that the opportunity is put to the market.

The intention is to hold an Extraordinary Cabinet meeting immediately before the scheduled Council meeting on 27 April 2017 when the decision will be made. I am therefore notifying you of these arrangements, and requesting

your agreement that the meeting is urgent and cannot reasonably be deferred.

Following a personal briefing from the Leader

Signed:



Cllr Colin Davis

Chairman of the Overview and Scrutiny Committee

Date:

20/4/17