

Statutory Notice for a Key Decision under General Exception provisions

Subject:	Acquisition of property(ies) in the Borough
Purpose:	To agree the acquisition of properties in the borough for service provision.
Decision Maker:	Cabinet
Expected Decision Date:	Thursday, 07 April 2016
Contact Officer:	Heather Morgan, Regeneration Manager 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 General Exception provisions as it is not possible to provide at least 28 clear days' notice of the decision but it is possible to give at least 5 clear days' notice of the decision.

As required under the above regulations, the Chairman of Overview and Scrutiny Committee will be notified of the above decision being taken under the General Exception 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:	3 March 2016
Urgent?	Yes
Reason why it is impractical to provide 28 clear days' notice of the decision:	
<p>Property one A conditional bid was submitted on 17 March (the date for best and final offers). If successful, the Council has committed to a period of four weeks or less to reach the point of exchange (industry standard). Failure to get approval from Council and Cabinet well within that four week deadline (which expires 17 April) will mean that the seller will go elsewhere and we will lose the building. 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 be beyond the exchange deadline. Property two The Council has been advised that unconditional exchange is required on 13 April. Failure to get approval from Council and Cabinet by or before 13 April will mean that we will lose the building. It is therefore not possible to defer the decision until the expiry of 28 working days since its inclusion on the on the Forward Plan as this would be beyond the auction date.</p>	

Further details of the decision to be taken:

Documents to be submitted to the Decision-Maker:	Report
<p>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.</p> <p>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.</p>	

Background Papers Used:	
Consultation Details:	No

Is this report likely to be considered in private session and if so, why?	<p>It is likely that this item will be Part public/part 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) Information is commercially sensitive.</p> <p>Representations may be made in favour of this decision being taken in public and/or disclosing any exempt and/or confidential information by contacting the Head of Corporate Governance, Michael Graham, on 01784 446227 no later than one week before the decision is to be made. The decision-maker will consider all representations and respond one week before the decision date.</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.

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

Reason why it is impractical to provide 28 clear days’ notice of the intention to hold a meeting in private:
<p>Property one A conditional bid was submitted on 17 March (the date for best and final offers). If successful, the Council has committed to a period of four weeks or less to reach the point of exchange (industry standard). Failure to get approval from Council and Cabinet well within that four week deadline (which expires 17 April) will mean that the seller will go elsewhere and we will lose the building. 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 be beyond the exchange deadline. Property two The Council has been advised that unconditional exchange is required on 13 April. Failure to get approval from Council and Cabinet by or before 13 April will mean that we will lose the building. It is therefore not possible to defer the decision until the expiry of 28 working days since its inclusion on the on the Forward Plan as this would be beyond the auction date.</p>