

Statutory Notice of Intent to Take Decision in Private Session

Subject:	Exempt report - Acquisition W - Key decision
Purpose:	To consider the acquisition of a property.
Decision Maker:	Cabinet
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 it is impracticable to give 28 clear 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.

Notice Published:	5 September 2019
Urgent?	Yes
Reason why it is impracticable to provide 28 clear days' notice of the intention to hold a meeting in private	
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.	

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:	
Consultation Details:	No

Reason why report is likely to be	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
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<p>considered in private session.</p>	<p>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, 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> <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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<p>Representations made</p>	
<p>Response to representations</p>	