

NOTICE OF AN URGENT DECISION OUTSIDE THE ACCESS TO INFORMATION RULES AS LAID OUT IN THE COUNCIL CONSTITUTION

MATTER – PERMISSION TO PURCHASE THE FREEHOLD OF THE LAND AND BUILDINGS FORMING A SITE IN UPPER HALLIFORD.

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 purchase of the land and buildings forming a site in Upper Halliford (which falls outside the requirement for the decision to be publicised on the Forward Plan 28 days prior to the decision being made).

In accordance with the Council's Constitution [sections 15 and 16 of the Access to Information Rule, Part 4 (g)] I am required to advise you about the matter on which the decision is to be made, and why it is not possible to do so under the usual procedures.

The offer to purchase the property was conditional on freeholders obtaining vacant possession of the Site. The freeholders were successful in removing all the occupiers quicker than anticipated and the council had agreed to complete on the purchase within two weeks of the landholders obtaining vacant possession. The target date for completion of the purchase is now the 23 December.

It is therefore not possible to defer the decision until it has been included in the next Forward Plan which would be for a January Cabinet, as this would be beyond the offer deadline. Please note that the offer is conditional and would be subject to survey, due diligence.

In accordance with the Constitution I am required to give you this notice five clear working days before the decision is made. This will be met by a report being considered by the Leader at a public meeting (partly held in private due to exempt business being disclosed) following the five day grace period.

Secondly, at least 28 days before a private meeting (to consider exempt information) we are required to publish a notice of our intention to hold a meeting in private. Where the date by which a meeting must be held makes compliance with this regulation impracticable, (as explained above) the meeting may only be held in private where the Leader/Cabinet has obtained agreement from the Chairman of the Overview and Scrutiny Committee that the meeting is urgent and cannot reasonably be deferred.

AGREEMENT THAT THE DECISION CANNOT REASONABLY BE DEFERRED AND IS A MATTER OF URGENCY

From: Friday, Alfred (Councillor)

Sent: 16 December 2015 13:55

To: Phillips, David

Subject: RE: Purchase of Land in Upper Halliford

Thank you for sending these reports. Having read them and from my knowledge of the concerns that local residents have held about the long history of problems with this site, I have no hesitation in wholeheartedly endorsing the recommendations they contain.

Cllr. Alfred Friday
Chairman
Overview and Scrutiny Committee