

**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 TWO PROPERTIES IN THE BOROUGH FOR
SERVICE PROVISION**

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 two properties in the borough for service provision.

Both of these fall outside the requirement for the decision to be publicised on the Forward Plan 28 days prior to the decision being made. In addition, they both fall outside the requirement to give 28 days' notice prior of a meeting being held in private.

In accordance with the Councils Constitution (section 15 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 and seek your agreement to holding a meeting in private in accordance with the Local Authorities (Executive Arrangements) (meetings and Access to Information) (England) Regulations 2012 paragraph 5.(6).

Property one

A conditional bid (subject to approval from Cabinet and Council and due diligence) 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 Forward Plan, as this would be beyond the auction date.

The intention is to hold an Extraordinary Cabinet meeting on 7 April 2016 when the decisions 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.

From: Friday, Alfred (Councillor)

Sent: 23 March 2016 08:01

To: Morgan, Heather

Subject: RE: Request for agreement to set aside 28 day rule on the Forward Plan

Hi Heather

I confirm that I am prepared to give my approval as Chairman of Overview and Scrutiny for the purchase of these two properties to be considered outside of the 28 day rule on the basis of the information given in the request.

Please call me if you have any questions.

Alfred.