

**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 IN 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 in the borough in order to secure a long term income stream for the Council.

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

The decision is as follows:

- Subject to Council approval on 21 July 2016 to raise the Council's prudential borrowing limit in order to acquire a site at an Extraordinary Cabinet meeting on 21 July 2016 – to authorise officers to bid on the site and other consequential delegations and permissions

General Exception Notice (Councils Constitution (section 15 of the Access to Information Rule, Part 4 (f))

In accordance with the above, I am required to notify you of our intention to make a key decision in advance of it being published on the Forward Plan for 28 clear days. There is no requirement to seek your agreement on this as the General Exception Notice will be placed on the Council's website at least five clear working days before the decision is made together with reasons why the requirement cannot be met.

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 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*

There is a deadline of 25 July 2016 to submit a first round bid. The bid will be strengthened considerably if it is backed by a decision both by Council (in so far as it authorises the increased prudential borrowing limit) and by Cabinet to authorise the level of the bid. 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 be beyond the bid deadline.

The intention is to hold an Extraordinary Cabinet meeting after the scheduled Council meeting on 21 July 2016 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.

Signed: .....



Cllr Colin Davis

Chairman of the Overview and Scrutiny Committee

Date: .....

14/7/16