

## **Committee: Council**

**Date: 4 July 2018**

Wards: All

## **Subject: The Use of Special Urgency for a Key Decision – Approval of property purchase**

**Lead officer:** Paul Evans, Assistant Director Corporate Governance

**Lead member:** Councillor Stephen Alambritis, Leader of the Council

**Contact officer:** Louise Fleming, Senior Democratic Services Officer (020 8545 3616)

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### **Recommendations:**

A. That Council note the taking of an urgent key decision on 14 February 2018.

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### **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

1.1. This report appries Council of the taking of an urgent key decision in *accordance with the provisions of Part 4 E, Section 17 of the Council's Constitution.*

### **2 DETAILS**

2.1. *The Constitution makes provision for the taking of an urgent decision i.e.*

Paragraph (c) of Section 17 requires that “Decisions taken as a matter of urgency must be reported to the next available meeting of the Council together with the reason for urgency”.

2.2. In accordance with paragraph 17(b) of the constitution the above titled key decision was brought to the attention of the Chair of Overview and Scrutiny Commission to seek his authority to take the decision under the Special Urgency Procedure, under Paragraph 15 of Part 4B of the Council's Constitution; and the Exempt Urgency Procedure at Paragraph 18 of Part 4B of the Council's Constitution. The use of the former procedure also exempted the decision from call-in.

### **3 ALTERNATIVE OPTIONS**

3.1. None for the purpose of this report.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

4.1. None for the purpose of this report.

### **5 TIMETABLE**

5.1. None for the purpose of this report

### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

6.1. None for the purpose of this report.

### **7 LEGAL AND STATUTORY IMPLICATIONS**

7.1. None for the purpose of this report.

**8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

8.1. None for the purpose of this report.

**9 CRIME AND DISORDER IMPLICATIONS**

9.1. None for the purpose of this report.

**10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

10.1. None for the purpose of this report.

**11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

Appendix A - Notice of Decision

**12 BACKGROUND PAPERS**

12.1. None.

**CORPORATE SERVICES DEPARTMENT**

Caroline Holland - Director



**Notice is hereby given that a key delegated decision has been taken by the Director of Environment and Regeneration on the following matter**

**APPROVAL OF LEASE PURCHASE AT AUCTION**

Where a matter is a key decision and has not been advertised 28 days prior to the date that the decision is required to be taken, and it has also not been possible to give five clear days notice, then the decision can still be taken under delegated authority if the provisions of Rule 15 (Special Urgency) of the Access to Information Procedure Rules Part 4B of the Constitution can be applied, once agreement, has been obtained by Chair of the Overview and Scrutiny Commission, that the decision cannot reasonably be deferred.

Also when a key decision contains exempt information and would be considered in private session and the 28 days notice period prior to the date that the decision is required to be taken has not been given, then the decision can still be taken under delegated authority if the provisions contained within Rule 18 (Exempt Urgency Procedure) of the Access to Information Procedure Rules Part 4B of the Constitution can be applied.

Councillor Southgate in his capacity as Chair of the Overview and Scrutiny Commission, has approved the use of Section 15 - Special Urgency, and Section 18 - Exempt Urgency procedures for this decision, and acknowledged that the use of the former procedure exempts the decision from call-in.

The decision to be taken relates to the facilitation and approval for potential property lease acquisition to support the regeneration of Morden Town Centre. The reason for urgency is due to the limited timeframe surrounding the purchase opportunity. The reasons for exemption pertain to Section 10.4, Category 3 information relating to the financial or business affairs of any particular person (including the authority holding that information), of the Access to Information Procedure Rules Part 4B of the Constitution.

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