

## Committee: Council

Date: 9 September 2015

Wards: All

## Subject: Call-in and Urgency – Approval Of Property Purchase

Lead officer: Paul Evans, Assistant Director Corporate Governance

Lead member: Councillor Stephen Alambritis, Leader of the Council

Contact officer: Chris Pedlow, Senior Democratic Services Officer, (020 8545 3616)

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### Recommendations:

- A. That Council note the taking of an urgent key decision and the waiving of the call-in procedure.

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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.

“Part 4 E, Paragraph 17(a) states that the call-in procedure ...shall not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests.

- 2.2. In accordance with paragraph 17(b) of the constitution the above titled report presented to The Chair of Overview and Scrutiny Commission was brought to the attention of the Chair of Overview and Scrutiny Commission who made the following statement:

*'having read the associated information, and in view of the need to authorise expenditure of up to £880K at auction on Monday 6 July, I am ready to permit use of Section 15 – Special Urgency, and Section 17 – Exempt Urgency procedures of the constitution for this decision. The decision is also exempt from call-in, given the auction timetable'.*

- 2.3. 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 (the reason for urgency is identified at 2.2 above).

## 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 will be taken by Director of Environment and Regeneration on the following matter**

### **APPROVAL OF PROPERTY PURCHASE**

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 Delegation 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 Delegation if the provisions of contained within Rule 17 (Exempt Urgency Procedure) of the Access to Information Procedure Rules Part 4B of the Constitution.

Councillor Southgate in his capacity as Chair of the Overview and Scrutiny Commission, has approved the use of Section 15 - Special Urgency, and Section 17 - 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 acquisition to support regeneration. 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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