



The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”) (Regulation 9)

NOTICE OF CONSIDERATION OF A DECISION THAT HAS NOT BEEN INCLUDED ON THE FORWARD PLAN AS SUCH

The reason why the decision is urgent and cannot reasonably be deferred is that East Suffolk Council needs to consider a proposal that relates to the surrender and renewal of the head lease for Claremont Pier. The Council owns the freehold interest of the land on which the pier is situated and therefore the pier structure requires a lease on ESC land. The lease currently in place relates to the previous owner of the pier.

The Pier was sold on 20 July 2020 and ESC has been in negotiations with the new purchasers and the liquidator to surrender and renew the lease agreement to ensure the purchaser’s occupation is correct.

In the light of the above we wish to expedite the Cabinet process and avoid having to delay a decision until the September Cabinet. We therefore seek an exemption to the Regulation 5 requirement in respect of the August 2020 Extraordinary Cabinet meeting.

The reason why the matter is to be considered in private is that it includes information relating to the financial or business affairs of any particular person (including the authority holding that information) (Paragraph 3 – Schedule 12A of the Local Government Act 1972).

It is deemed important that Cabinet considers this decision as soon as possible.

Regulation 10 of the Regulations (General Exception) allows for a key decision to be made if it is impracticable for notice of the intention to take a key decision under Regulation 9 to be given 28 clear days in advance of the taking of the decision.

Regulation 10 sets out the actions required to be taken in those circumstances which includes setting out the reasons for General Exception.

This Notice has not provided the relevant 28 days. However, in accordance with Regulation 5(6) of the Regulations where the Chairman of the Scrutiny Committee considers that there is urgency which dictates that this decision is urgent and cannot be reasonably deferred to allow compliance with Regulation 5 the decision may still be taken.

The Chairman of the Scrutiny Committee has been notified that the making of the decision detailed below is urgent and cannot reasonably be deferred and has agreed for it to proceed. The reason for this is as set out above.

Hilary Slater
Head of Legal and Democratic Services (Monitoring Officer)
30 July 2020