

Actions Taken under the Council's Urgency Procedures

1. Action taken by the Leader of the Council under the Council's Urgent Action Procedure

Council is asked to note the decision taken by the Leader of the Council under the Council's urgent action procedure.

1.1 Purchase of the Site on Gibbs Road, Montagu Industrial Estate, N18 3PU

Under the Council's Urgent Action Procedure (as set out in Chapter 4.1 Section 30 Rules of Procedure) the Leader of the Council was asked to approve an addition to the Capital Programme to be funded from borrowing to enable the purchase of a site on the Gibbs Road, Montagu Road Industrial Estate, N18 3PU. This was to be achieved through the purchase of a company specifically set up to hold the property or through direct purchase of the property by negotiation, subject to the Council undertaking due diligence.

Urgent approval was sought for implementation of this decision for the following reasons:

- It had recently come to the Council's attention that the company holding the site is up for sale and the vendor had requested bids from the market by the 16 June 2016. The Council wished to purchase the site and wanted to submit an offer, subject to contract, as advised by its property and legal consultants. Officers also wanted to conclude the purchase, if successful, as a matter of urgency to ensure that the owner did not remarket the property.
- The site had been identified as being of strategic importance and value to the Council. The site was surrounded primarily by Council owned land. As the site was being offered freehold with full vacant possession and had no plant and machinery located on it. This was a unique opportunity for the Council to acquire the site.

The immediate urgency related to the fact that it would not be possible, given the timing of the next Authority meeting, for the matter to be included for approval on the agenda for the next Council meeting as this was not until 13 July 2016. It was also not possible to consider this appointment at the last meeting of the Council 08 June 2016 as information about the purchase was only finalised and confirmed on the 13 June 2016.

On 15 June 2016, the Leader of the Council, in consultation with the Cabinet Member for Finance and Efficiency and the Cabinet Member for Economic Regeneration and Business Development, approved

under the Council's urgent action procedure, the addition to the Capital Programme, to be funded from borrowing, to enable the purchase of a site on Gibbs Road, Montagu Industrial Estate, N18 3PU.

2. Use of the Council's urgency processes involving a waiver of the Call-In process

Council is asked to note the following decisions taken and the reasons for urgency.

2.1 Decision: Approval to the Negotiation and Purchase of a site on Gibbs Road, Montagu Industrial Estate, N18 3PU

Reason for Urgency

It had recently come to the Council's attention that this strategically located site, within the Montagu Industrial Estate, was up for sale. The property was being sold freehold and with the benefit of full vacant possession. The vendor had requested bids by the 16 June 2016.

The Council has obtained external property advice, and an independent external valuation for the site was undertaken and advice was received on the Council's negotiation strategy for this site. Due diligence was also undertaken, and the offer made was to be subject to contract and further caveats recommended by the Council's consultants.

Officers wanted to commence the negotiations and conclude the purchase as a matter of urgency. This is why officers recommended the use of the urgency rules rather than using the normal Council procedures. The site had been identified to be strategically located within the Montagu Industrial Estate, the bulk of which was already within Council ownership.

The use of the Council's Rule 16 procedure was approved by the Chair of the Overview and Scrutiny Committee on 15 June 2016.

2.2 Decision: Extension of the interim contract with Ernst and Young (EY) to deliver procurement and commissioning activities on behalf of the Council until a full tender had been awarded for this work.

Reason for Urgency:

Urgent approval was sought for the implementation of this decision for the following reasons:

The current Ernst and Young Contract ran out on the 30 June 2016 and the full tender process to award a contract for continuing work had not been due to finish until the end of August 2016. Activity had had to

continue in the interim between 1 July and 31 August 2016 and the Council had had to sign off the decision to continue with the existing contract before it ended on 30 June 2016.

It had not been possible to give the required 28 day notice and include the decision on the Council's Key Decision List because it was originally planned that the tender process would allow the full award of the contract in line with the previous extension. It was expected that this would happen in late August 2016. The potential costs of an extension were only finalised during the week of the 30 June 2016.

The use of the Council's Waiver of Call in procedure was approved by the Chair of Overview and Scrutiny Committee on 30 June 2016.