

# Notice to the Chair of the Community and Wellbeing Scrutiny Committee



## Urgent Key Decision form

DECISION DETAILS
<b>Decision Maker:</b> Cabinet
<b>Decision Title:</b> Purchase of 115 Affordable Homes from Phase 2 of the Grand Union Development
<b>Description of Decision:</b> To seek approval for purchasing 115 affordable homes from Phase 2 of the Grand Union development in Alperton.
<b>When will the Decision be made?</b> 11/04/22
<b>Will the accompanying report be:</b> Open <input type="checkbox"/> Part Exempt <input checked="" type="checkbox"/> Fully Exempt <input type="checkbox"/>
<b>Reasons for exemption (if applicable)</b> The report will contain the following category of Information exempt from publication under the Schedule 12A of the Local Government Act 1972, namely paragraph: 3 – "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
TYPE OF URGENCY
<b>Please tick all that apply:</b> <input checked="" type="checkbox"/> A. The decision is urgent and <u>28 clear days' notice</u> of the decision cannot be given but at least 5 clear days' notice can <input type="checkbox"/> B. The decision is extremely urgent and even <u>5 clear days' notice</u> of the decision cannot be given <input checked="" type="checkbox"/> C. The decision will be made by members at a meeting and <u>28 clear days' notice</u> that the proposed decision may be discussed in private (i.e. the report will contain information <u>exempt from publication</u> ) cannot be given <input type="checkbox"/> D. The decision must be implemented urgently and the <u>5 day call-in period</u> must be <u>dis-applied</u> to allow the decision to take immediate effect.
REASONS FOR URGENCY
<b>If you have selected options A, B or C please explain:</b> <ul style="list-style-type: none"><li>▪ <b>Why it was not possible to provide the required notice (i.e. why the decision or exemption was not anticipated)</b></li><li>▪ <b>Why it is impractical to defer the decision to a later date to allow the appropriate notice to be provided.</b></li></ul>

The reason that these urgency procedures are required is because the GLA grant award for this scheme is dependent upon achieving a start on site before June 2022. This means that completion of the deal between Brent and the developer must take place before then. It is not possible to wait until Cabinet in May and risk the loss of the GLA grant for this scheme.

Whilst it is possible to provide at least 5 days advance notice of the decision, it has not been possible to provide the full period of notice (including that the report will need to be considered as part exempt) and prior to this month (March 2022) it was not anticipated that Brent would be in a position to purchase these homes.

**If you have selected Option D please explain why the council's interest or the public interest would be seriously prejudiced by the decision not taking immediate effect.**

SIGN-OFF

**Director of Community Wellbeing**

**Printed Name: Phil Porter**

**Signature:** *Phil Porter*

**Chief Executive**

**Printed Name: Carolyn Downs**

**Signature:** *Carolyn Downs*

**THE FOLLOWING SECTION IS TO BE COMPLETED BY GOVERNANCE SERVICES**

CHAIR OF COMMUNITY & WELL BEING SCRUTINY COMMITTEE

**Notice to:** Councillor Ketan Sheth

**The Chair is asked to:**



**Note that an urgent decision will be taken as detailed in the form above.**

The decision is deemed urgent because insufficient (less than 28 days) notice of the intention to take the decision was provided on the Forward Plan. However, at least 5 clear days' notice has been provided and therefore the Scrutiny Chair is only required to note that the decision will be taken.



**Permit the extremely urgent decision to be taken as detailed in the form above.**

The decision is deemed extremely urgent as less than 5 clear days' notice of the intention to take the decision has been provided. The Scrutiny Chair is asked to agree that the decision is urgent and cannot be reasonably deferred for the reasons detailed in the form above.



**Permit discussion of exempt information in private relying on Schedule 12A of the Local Government Act 1972**

If a report is likely to contain information exempt from publication under schedule 12A of the Local Government Act 1972, then 28 days' notice of this must be provided on the Forward Plan. Where this requirement has not been met, the agreement of the Scrutiny Chair is required before proceeding.



**Permit the dis-application of the 5 day call-in period, allowing the decision detailed in the form above to take immediate effect.**

A Cabinet decision or a Key Decision cannot be implemented until the 5 day call in period has elapsed and no valid call-in has been received. The call-in protocol can be dis-applied if the council's or the public interest would be seriously prejudiced by the decision not taking immediate effect. The Chief Executive must determine whether a decision is urgent in this regard. The consent of the Scrutiny Chair to the matter being treated as urgent is also required.

SIGN-OFF

**Notice sent to Councillor Ketan Sheth on 16/03/22**

**Chair's approval:** Required  Not Required

**Date approval granted (if applicable): 16/03/22**