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Our Ref: GN/DW/UB76
Your Ref:

Democratic Services

Councillor Stuart Langhorn,
Leader of Cabinet,

Gillian Noall
Head of Democratic Services

Councillor Malcolm Thomas,
Cabinet Member with Responsibility for
Property Services

Town Hall
Dalton Square
LANCASTER LA1 1PJ

DX63531 Lancaster

12 November 2009

Dear Councillor,

URGENT BUSINESS – LAND AT SCOTFORTH ROAD, LANCASTER

Cabinet is requested to consider the attached report which proposes the variation of a contract for the sale of land at Scotforth Road, Lancaster.

Members are reminded that Cabinet had previously approved the sale of land at Scotforth Road Lancaster and had previously agreed a variation to that contract. Cabinet Minute 53 of 1 September 2009 refers. Please note that this minute and the attached report are exempt from publication.

The Chief Executive is seeking an Urgent Business Decision in order to vary the terms of the contract. Please see the attached report for further information.

The reason for the urgency in this case is that the disposal of land at Scotforth Road is a key element of the Council's capital receipts schedule. The funds gained from the disposal of the land are required to enable the council to fund the capital programme in the coming years and any further delay may jeopardise the capital programme.

The recommendations are:-

- (1) That approval be given to amending the contract of sale by extending from three months to four months the time within which the submission of a planning application is required.**
- (2) That the Overview & Scrutiny Chairman be consulted with a view to waiving call in, in accordance with Overview & Scrutiny Procedure Rule 17, to enable the Chief Executive's decision to be implemented immediately.**
- (3) That the Overview & Scrutiny Chairman be requested to waive the requirement to include advance notice of the decision in the Forward Plan, in accordance with Access to Information Procedure Rule 16.**

The views of the Chairman of the Overview and Scrutiny Committee are also being sought to this action in accordance with both Access to Information Procedure Rule 16 and Overview and Scrutiny Committee Procedure Rule 17(a), initially to enable the decision to be taken immediately without giving the required 5 days notice in the Forward Plan, and secondly, should the decision be taken to vary the contract, to enable immediate implementation.

I would be grateful if you could complete the attached slip, signifying whether you are in agreement with the recommendations or not, and return it to the Town Hall as soon as possible. In the meantime, could you please telephone David Watson on 582096, or e-mail dwatson@lancaster.gov.uk, with your decision.

Yours sincerely,

HEAD OF DEMOCRATIC SERVICES

Enc.

URGENT BUSINESS – Land at Scotforth Road, Lancaster

Councillor Consultation

*I am/~~am not~~ (*please delete as appropriate) in agreement with the recommendations:-

1. That approval be given to amending the contract of sale by extending from three months to four months the time within which the submission of a planning application is required.
2. That the Overview & Scrutiny Chairman be consulted with a view to waiving call in, in accordance with Overview & Scrutiny Procedure Rule 17, to enable the Chief Executive's decision to be implemented immediately.
3. That the Overview & Scrutiny Chairman be requested to waive the requirement to include advance notice of the decision in the Forward Plan, in accordance with Access to Information Procedure Rule 16, in order that the decision can be taken without delay.

Signed: S. Langhorn -----

Name: Councillor Stuart Langhorn -----

Position Held: Leader of Cabinet -----

Dated: 12 November 2009 -----

Councillor Consultation

*I am/~~am not~~ (*please delete as appropriate) in agreement with the recommendations:-

1. That approval be given to amending the contract of sale by extending from three months to four months the time within which the submission of a planning application is required.
2. That the Overview & Scrutiny Chairman be consulted with a view to waiving call in, in accordance with Overview & Scrutiny Procedure Rule 17, to enable the Chief Executive's decision to be implemented immediately.
3. That the Overview & Scrutiny Chairman be requested to waive the requirement to include advance notice of the decision in the Forward Plan, in accordance with Access to Information Procedure Rule 16, in order that the decision can be taken without delay.

Signed: Malcolm Thomas -----

Name: Councillor Malcolm Thomas -----

Position Held: Cabinet Member with Responsibility for Property Services -----

Dated: 12 November 2009 -----

Chief Executive Decision

*I agree/~~do not agree~~ (***please delete as appropriate**) to exercise my delegated authority and approve:-

1. That approval be given to amending the contract of sale by extending from three months to four months the time within which the submission of a planning application is required.
2. That the Overview & Scrutiny Chairman be consulted with a view to waiving call in, in accordance with Overview & Scrutiny Procedure Rule 17, to enable the Chief Executive's decision to be implemented immediately.
3. That the Overview & Scrutiny Chairman be requested to waive the requirement to include advance notice of the decision in the Forward Plan, in accordance with Access to Information Procedure Rule 16, in order that the decision can be taken without delay

Signed: M. Cullinan -----
Chief Executive

Dated: 12 November 2009 -----

Please return to: David Watson,
Democratic Services,
Town Hall,
Dalton Square,
LANCASTER. LA1 1PJ

Ref: UB76