

CABINET

**Urgent Business Report
9 November 2010**

Report of Head of Governance

PURPOSE OF REPORT			
To advise Members of actions taken by the Chief Executive, in consultation with the relevant Cabinet Member and the Chairman of the Overview and Scrutiny Committee.			
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>
Referral from Officer			<input checked="" type="checkbox"/>
This report is public			

RECOMMENDATION

- (1) That the actions taken by the Chief Executive, in consultation with the relevant Cabinet Member and the Chairman of the Overview and Scrutiny Committee in accordance with the Scheme of Delegation, in respect of the following, be noted:

Land at Edenbreck Farm, Carr House Farm, Lancaster

- (1) To agree to the transfer of land and buildings at Edenbreck Farm, Lancaster as set out in this report.
- (2) To agree to the principle of granting a lease to the Fairfield Association to facilitate the creation of an Urban Nature Reserve on a rental basis to be agreed by Cabinet.
- (3) In consultation with the Chairman of the Overview and Scrutiny Committee, to treat the matter as urgent and not subject to call-in under Overview & Scrutiny Procedure Rule 17.

1.0 Background

- 1.1 On 8 December 2009 Cabinet considered a report on the Fairfield Association Urban Nature Area, resolving the following:

That Cabinet gives 'in principle' approval for the City Council to work in partnership with the Fairfield Association to take the proposal forward and that the financial implications of this be included within Cabinet's draft budget proposals, for further consideration.

- 1.2 An urgent business decision was sought for a proposal to sell a farmhouse on the land to the current agricultural tenant and to lease the remainder of the

land to the Fairfield Association to create an Urban Nature Reserve.

- 1.3 The decision was urgent because the potential tenant required a commitment from the council in order that they could satisfy the requirements of one of their funding bodies.
- 1.4 The matter was a key decision but advance notice had not been included in the Forward Plan. As such the Chairman of Overview and Scrutiny Committee agreed to this being treated as a matter of special urgency in accordance with Access to Information Procedure Rule 16, and gave approval for the Chief Executive to take the decision in advance of the usual five days notice.
- 1.5 After consulting with the Leader of the Council (who is also the Cabinet Member with Responsibility for Property Services), who agreed to the decision, the Chief Executive took the decision outlined above.
- 1.6 As the potential leaseholder required the principle of the lease to be in place before mid-October, the call-in process had potential to jeopardising the implementation of the decision and the ability of the new tenant to source an important source of funding.
- 1.7 Therefore, the Chairman of Overview and Scrutiny was consulted with regards to waiving the call-in process, agreeing to this decision. The Chief Executive then took the decision to treat the matter as urgent in accordance with Overview and Scrutiny Procedure Rule 17, and not subject to call-in.

2.0 Conclusion

- 2.1 Approval was given to the above actions, which are reported to this meeting in accordance with the City Council's Constitution, Access to Information Procedure Rule 15.01(c).

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Comments were contained in the original report of the Corporate Director (Regeneration).

LEGAL IMPLICATIONS

Comments were contained in the original report of the Corporate Director (Regeneration).

FINANCIAL IMPLICATIONS

Comments were contained in the original report of the Corporate Director (Regeneration).

OTHER RESOURCE IMPLICATIONS

Human Resources:

Comments were contained in the original report of the Corporate Director (Regeneration).

Information Services:

Comments were contained in the original report of the Corporate Director (Regeneration).

Property:

Comments were contained in the original report of the Corporate Director (Regeneration).

Open Spaces:

Comments were contained in the original report of the Corporate Director (Regeneration).

SECTION 151 OFFICER'S COMMENTS

Comments were contained in the original report of the Corporate Director (Regeneration).

MONITORING OFFICER'S COMMENTS

Comments were contained in the original report of the Corporate Director (Regeneration).

BACKGROUND PAPERS

1. Report of Corporate Director (Regeneration), 'Land at Edenbreck Farm, Carr House Farm, Lancaster' (exempt due to paragraph 3, schedule 12a, Local Government Act 1972)
2. Letters to Chairman of Overview and Scrutiny Committee and Leader of the Council

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