



**URGENT BUSINESS**

**THURSDAY, 12 NOVEMBER 2009**

Please find an enclosed Urgent Business Notice in connection with the following:

1. **Land at Scotforth Road, Lancaster** (Pages 1 - 10)

The Chief Executive, in consultation with the Leader of the Cabinet and the Cabinet Member with Special Responsibility for Property Services, has been asked and has agreed to make a decision in accordance with the City Council's Urgent Business Procedure.

The Chairman of the Overview and Scrutiny Committee was asked, and agreed, that the requirement to include the decision in the Forward Plan be waived in accordance with Access to Information Procedure Rule 16, to enable the decision to be taken immediately.

Details of the above decision and the reasons for urgency are set out in the attached Notices and report.

Additionally the Chief Executive (in consultation with the Chairman of the Overview and Scrutiny Committee) has been asked to waive call-in in accordance with the Overview and Scrutiny Committee Procedure Rule 17(a). The Chairman of the Overview and Scrutiny Committee was in agreement with the decision to waive call-in.

**Queries regarding these documents**

Please contact David Watson - Democratic Services - 01524 582096 - email: [dwatson@lancaster.gov.uk](mailto:dwatson@lancaster.gov.uk).

Gillian Noall,  
Head of Democratic Services,  
Town Hall,  
Dalton Square,  
Lancaster LA1 1PJ

Published on Thursday, 12 November 2009

Contact: Gillian Noall  
Telephone: (01524) 582060  
Fax: (01524) 582161  
E-mail: gnoall@lancaster.gov.uk  
Website: www.lancaster.gov.uk  
Our Ref: GN/DW/UB76  
Your Ref:

Councillor Stuart Langhorn,  
Leader of Cabinet,

Councillor Malcolm Thomas,  
Cabinet Member with Responsibility for  
Property Services

Democratic Services

**Gillian Noall**  
**Head of Democratic 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](mailto: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

Contact: Gillian Noall  
Telephone: (01524) 582060  
Fax: (01524) 582161  
Minicom: (01524) 582175  
E-mail: GNoall@lancaster.gov.uk  
Our reference: GN/DW/UB76  
Your reference:

Democratic Services

Councillor Gilbert,  
Chairman of the Overview and Scrutiny Committee.

**Gillian Noall**  
**Head of Democratic Services**

Town Hall  
Dalton Square  
LANCASTER LA1 1PJ

12 November 2009

DX63531 Lancaster

Dear Councillor,

**URGENT BUSINESS – LAND AT SCOTFORTH ROAD, LANCASTER**

Cabinet is being 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 approval of the Chief Executive, in consultation with the Leader and relevant Cabinet Member is being sought to this action.

Subject to this approval, I would be grateful if in the meantime you would consider:

- (1) Waiving 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; and
- (2) Agreeing to waive the right of call-in, in accordance with Overview and Scrutiny Committee Procedure Rule 17(a), to enable the immediate implementation of this course of action.

Please complete the attached slip signifying your decision 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](mailto:dwatson@lancaster.gov.uk) with your decision.

Yours sincerely,

**HEAD OF DEMOCRATIC SERVICES**

**Enc.**

**URGENT BUSINESS – Land at Scotforth Road, Lancaster**

\*I agree/~~do not agree~~ (**\*please delete as appropriate**)

- (1) To this matter being treated as a matter of urgency in accordance with Access to Information Procedure Rule 16, and give approval for the Chief Executive to take this decision in advance of the usual five days notice.
  
- (2) To this matter being treated as a matter of urgency in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) and therefore not being subject to call-in.

Signed: J. Gilbert.....

Dated: 12 November 2009.....

Chief Executive Decision

\*I agree/~~do not agree~~ (**\*please delete as appropriate**) to this matter being treated as a matter of urgency in accordance with Overview and Scrutiny Committee Procedure Rule 17(a) and therefore not being subject to call-in.

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



By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted