

# **NOTICE OF A CASE OF SPECIAL URGENCY FOR THE MAKING OF A KEY DECISION<sup>1</sup>**

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<sup>1</sup> In accordance with Regulation 11(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. Where a decision maker intends to make a key decision,<sup>2</sup> that decision must not be made until at least 28 clear days public notice has been given<sup>3</sup>.
2. Where the publication of the intention to make a key decision is impracticable, that decision may only be made where the Chair of the Overview and Scrutiny Committee has been informed of the matter about which the decision is to be made, notice to the Chair has been made available for public inspection at the Council offices and published on the Council's website, and after 5 clear days have elapsed following the day on which notice to the Chair was made publicly available<sup>4</sup>.
3. Where the date by which a key decision must be made makes compliance with the requirements of paragraph 2 above impracticable the decision may only be made where the decision maker has obtained agreement from the Chair of the Overview and Scrutiny Committee that the making of the decision is urgent and cannot reasonably be deferred<sup>5</sup>.
4. **This notice<sup>6</sup> confirms that the Chair of the Overview and Scrutiny Committee has agreed that the making of the key decision in relation to the business set out below is urgent and cannot reasonably be deferred for the reasons set out below.**

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<sup>2</sup> A Key Decision is defined in legislation as an executive decision, which is likely:

- to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.
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<sup>3</sup> In accordance with Regulation 9(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>4</sup> In accordance with Regulation 10(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>5</sup> In accordance with Regulation 11(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>6</sup> In accordance with Regulation 11(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Date of decision or period within which the decision is to be made	Agenda item title	Short description	Decision maker	Cabinet Member & Lead Officer	List of documents to be submitted to the decision maker	Public or Private meeting. Statement of reasons if private	Reasons why decision is urgent and cannot reasonably be deferred
Between 18-Mar-2022 and 31-Mar-2022	Welbourne Health Centre – Granting of Lease to Lawrence Group Practice to Facilitate Long Term Health Centre Use	The Welbourne Health Centre is part of the development forming 131 Council Homes and will form part of the Ground and first floor. The NHS provider for fitting out the facility (and to take a long lease from the Council) have pulled out and the report seeks authority to grant a long lease of the health centre premises to the Lawrence House GP Surgery for a term of 125 year lease at a premium and on full repairing and insuring terms. The lease will include the requirement for the Council to carry out the fit out works funded by the NHS through the premium for the lease.	Cabinet Member Signing (Urgent Decision)	Cabinet Member for Health, Social Care, and Well-Being  Director of Housing, Regeneration, and Planning	Report of the Assistant Director of Commissioning	Public	<p>Following public consultation and engagement with health partners, TH10 Welbourne Centre and Monument Way was identified as the preferred site for a new health facility.</p> <p>The NHS provider of the fit out works for this location has pulled out at the last minute. The Clinical Commissioning Group (CCG) has asked the Council to step in and take responsibility for doing the fit out works so the funding from NHS England can be spent by the end of March 2022 as there is no guarantee that this will be available in the next financial year from April.</p> <p>The funding will be provided through the leasing of the site to the Lawrence House Surgery on a 125 year lease at a premium covering the value of the site the and for the fit out works.</p> <p>The decision is therefore required within the 28 day notice period.</p> <p>Given the above, it is not practicable to comply with the 28-day notice requirement in Part Four, Section D, Rule 13 of the constitution or the 5-day</p>

							<p>notice period requirement for key decisions. This is set out in Part Four, Section D, Rule 16, of the Constitution.</p> <p>As set out below, the decision is urgent and time critical in accordance with Part 4 Section H paragraph 18 (a) and 18 (b).</p>
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*Please be advised that the Chair of Overview and Scrutiny has further agreed that the call-in procedure shall not apply to this urgent decision. This is because the decision is urgent and any delay in implementation caused by the call-in procedure would seriously prejudice the Council's or the public's interests as there is a need to spend the funding from NHS England by the end of March 2022. This decision is considered to be urgent as it would enable the Council and CCG to meet an identified requirement and provide a high quality primary health care facility for local residents. The Chair of Overview and Scrutiny Committee has agreed that the decision is both reasonable in all circumstances, and that it should be treated as a matter of urgency. This is in accordance with Part 4, Section H, and Paragraph 18 (a) and (b) of the Council Constitution.*

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