

**LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)  
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND)  
REGULATIONS 2012 ('THE REGULATIONS')**

**SCARBOROUGH BOROUGH COUNCIL ('THE COUNCIL')**

**NOTICE TO THE CHAIR OF THE OVERVIEW AND SCRUTINY BOARD OF A GENERAL EXCEPTION TO THE PUBLICATION  
OF THE INTENTION TO MAKE A KEY DECISION**

1. Where a decision maker intends to make a key decision<sup>1</sup>, that decision must not be made until at least 28 clear days public notice has been given<sup>2</sup>.
2. Where the publication of the intention to make a key decision is impracticable, that decision can only be made where; the Chair of the Overview and Scrutiny Board has been informed by notice in writing; that notice has been made available for inspection by the public at the authority's offices and upon their website (if they have one); and after 5 clear days have elapsed following the day on which the notice was made publicly available<sup>3</sup>.

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<sup>1</sup> A 'key decision' is defined at Regulation 8 of the Regulations.

<sup>2</sup> Regulation 9(2) and (3) of the Regulations.

<sup>3</sup> Regulation 10(1) of the Regulations.

3. **NOTICE IS HEREBY GIVEN** to the Chair of the Overview and Scrutiny Board that it has been impracticable to give 28 clear days public notice of the items set out in the table below for the reasons given therein, and that it is intended that key decisions will be made on the date specified.
4. **NOTICE IS ALSO HEREBY GIVEN** to the public of the reasons why compliance with the requirements for publicity in connection with key decisions has been impracticable.

Date of decision	Matter	Short description	Decision maker	Cabinet Member & Lead Officer	List of Documents to be submitted to decision maker	Public/Private Statement of reasons if Private	Reasons
17/09/2018	Travelodge Hotel Scarborough	The acquisition of the freehold estate in the property known as Travelodge Hotel, St Nicholas Cliff, Scarborough	The Commercial Director	Cllr Helen Mallory  Bryan Walker, Estates Manager	Report of the Property Selection Team  Commercial Property Investment Strategy	Report and Appendix 1 – public  Appendices 2,3,4 and 5 (including all associated Appendices to Appendix 5) – private, as they contain exempt information, being information relating to the	It has been impracticable to give 28 clear days' notice due to the commercial and competitive timescales imposed by the seller of the property. The seller is an investment company operating in the commercial marketplace whose prerogative it is to stipulate

						<p>financial or business affairs of any particular person, (including the authority holding that information).</p>	<p>transaction timing that is acceptable to it.</p> <p>The business case in respect of the acquisition has been scrutinised by the internal Property Investment Governance Board, in accordance with the Commercial Property Investment Strategy, with a Board recommendation to progress the transaction being made on 6<sup>th</sup> September 2018.</p> <p>The seller has competing buyers interested in the property and there is consequently a significant risk of</p>
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							the Council losing the purchase if it is unable to exchange contracts at the earliest opportunity.
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7<sup>th</sup> September 2018