

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

SCARBOROUGH BOROUGH COUNCIL ('THE COUNCIL')

**NOTICE OF A KEY DECISION OF A DECISION MAKING BODY TO WHICH THE CHAIR OF THE RELEVANT OVERVIEW AND
SCRUTINY COMMITTEE HAS AGREED IS URGENT AND CANNOT REASONABLY BE DEFERRED**

1. Where a decision maker intends to make a key decision¹ that decision must not be made until at least 28 clear days public notice has been given².
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 relevant Overview and Scrutiny Committee 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 available³.
3. Where the date by which a key decision must be made makes compliance with paragraph 2 above impracticable, that decision can only be made where; the Chair of the relevant Overview and Scrutiny Committee (or in their absence the Chairman of the authority) has agreed that the making of the decision is urgent and cannot reasonably be deferred.⁴
4. **NOTICE IS HEREBY GIVEN** that compliance with the requirements for giving notice has been impracticable in relation to the items of business detailed in the table below, and that it is intended to make key decisions about the same on the date specified.

¹ A 'key decision' is defined at Regulation 8 of the Regulations.

² Regulation 9(2) and (3) of the Regulations.

³ Regulation 10(1) of the Regulations.

⁴ Regulation 11(1) of the Regulations.

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
20/11/20	Development of new industrial starter units at Discovery Way, Whitby	<p>To accept external grant funding to facilitate the delivery of the scheme.</p> <p>To enter into agreements with third party contractors to undertake urgent works pending the final grant funding agreement, which will allow the scheme to be delivered within the grant funding timescales</p>	Leader	<p>Leader</p> <p>Cllr Liz Colling Portfolio Holder for Inclusive Growth</p> <p>Bryan Walker, Estates Manager</p>	Report of the Director (RB)	The report is private since it contains exempt information under Paragraph 3 ⁵ of Part 1 of Schedule 12A of the Local Government Act 1972.

⁵ Information relating to the financial or business affairs of any particular person (including the authority holding that information).

5. **NOTICE IS ALSO HEREBY GIVEN** to the public that the Chair of the relevant Overview and Scrutiny Committee has agreed that the making of the key decision referred to in the above table is urgent and cannot reasonably be deferred. The reasons are set out in the below table.

Date of O&S Chair's agreement	Matter in respect of which the decision is to be made	Reasons why the meeting is urgent and cannot reasonably be deferred
20/11/2020	Development of new industrial starter units at Discovery Way, Whitby	To allow the scheme to be delivered within the grant funding timescales requires the council to enter into agreements with third party contractors to undertake urgent works pending the final grant funding agreement

20 November 2020