

CABINET MEETING

DATE: 18 May 2021

NOTICE OF PROPOSAL TO TAKE AN URGENT KEY DECISION IN ACCORDANCE WITH THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 AND THE FOLLOWING RULE(S) IN THE FOLKESTONE AND HYTHE DISTRICT COUNCIL CONSTITUTION:-

Part 6.4, 'Cabinet Access to Information Procedure Rules' – Rule 13 'Special Urgency'.

URGENT DECISION: CONNECT 38 - ADDITION OF CAT A WORKS TO GENERAL FUND CAPITAL PROGRAMME

In May 2019, Folkestone & Hythe District Council purchased the investment property known as Connect 38 in Ashford, Kent. At that time, the first floor and part of the second floor were vacant and required finishing to a Category A (CatA) specification before leasing out. Unfortunately this space remained vacant as a result of low interest in office space through the Covid pandemic.

Recently however there has been a resurgence of interest in office space and the council has agreed draft heads of terms with a potential new tenant who requires occupation by 30 July 2021. Therefore the CatA works to the second floor need to be undertaken immediately to enable this deadline to be met. Urgent approval is now required to modify the Council's capital programme to allow the CatA works to be undertaken in order to let the vacant space.

NOTICE IS GIVEN THAT:

1. The decision on the matter outlined above cannot practically be deferred until the publicity requirements for key decisions and exempt decision can be met. Neither can the decision be deferred in order for the publicity requirements to be met under the 'General Exception' Rule (Folkestone and Hythe District Council Constitution, Part 6.4, Rule 12) because:

The matter is urgent because there is no provision in the 2021/22 capital programme to undertake these urgent works. There is significant risk that if the budget is not agreed and the works commence immediately then we could lose the tenant and the subsequent rental income.

2. The decision will therefore be taken at a meeting of the Cabinet on the date shown above.
3. The Leader has obtained the agreement of the Chairman of the Overview and Scrutiny Committee that the taking of the decision is urgent and cannot reasonably be deferred.



Dr S Priest
Chief Executive
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A Key Decision is any decision:

- (a) Relating to the approval of or variation to the Council's Budget or Policy Framework which is reserved in the Council's Constitution for determination by full Council on a recommendation from Cabinet; or
- (b) Which involves the incurring of expenditure, or the making of savings, by the Council, which are anticipated to be in excess of £300,000 with the exception of items previously included in the relevant approved budget ; or
- (c) Where the Council is entering into a contractual obligation with a value in excess of £500,000; or
- (d) For the acquisition or disposal of land or property with a value of over £500,000; or
- (e) Which is likely to be significant in terms of its effect on communities living or working in an area comprising two or more wards in the Council's area.

A decision will not be a key decision if it relates to expenditure, income or savings that:

- a) Has been approved previously by full Council; or
- b) Has been approved previously, following compliance with the key decision procedure; or
- a) Is in accordance with the current treasury management and investment policy of the Council.