

# **Record of decision**

## **Leader using urgency powers**

### **Thursday, 26 January 2017**

**Date of publication: 26 January 2017**

**The record of decisions is subject to approval at the next meeting of the Cabinet**

**Supermarket Premises, Britton Farm Shopping Centre, High Street, Gillingham  
- Company Voluntary Agreement**

#### **Background:**

This exempt report provided details of the proposed company voluntary agreement relating to the above premises, with reference to the creditors' meeting being held on 27 January 2017.

The exempt report noted that the urgency provisions were set out in the Constitution (paragraph 3.2 of Part 3 (Responsibility for Cabinet functions) of Chapter 3 (Responsibility for Functions) of the Constitution.

The Chairman of the Business Support Overview and Scrutiny Committee had agreed that the taking of these decisions were urgent and could not be reasonably deferred, in accordance with Rule 17 (Special Urgency) of the Access to Information Rules (Part 2 of Chapter 4 in the Constitution). This was because the Creditors' meeting was due to take place on 27 January 2017, therefore, it was not possible to defer consideration until the next Cabinet meeting which was due to be held on 7 February 2017.

Additionally and in line with rule 15.11 of Chapter 4, Part 5 of the Constitution, call-in could be waived where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the Public's interests. The Chairman of the Business Support Overview and Scrutiny Committee had agreed that the decisions proposed were reasonable in all the circumstances and to them being treated as a matter of urgency and to waive call-in.

**Leader, 26 January 2017**

**Decision  
number:**

**Decision:**

- 187/2017**      The Leader agreed to authorise the Chief Legal Officer to vote in favour of the Company Voluntary Agreement (CVA) as set out in paragraph 2.4 of the report at the creditors' meeting to be held on 27 January 2017, and to take any other necessary steps to mitigate the Council's financial exposure in this matter.
- 188/2017**      The Leader agreed that this decision is considered urgent and therefore should not be subject to call-in.

**Reasons:**

This represents the best outcome for the Council on this occasion.

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**Leader of the Council**

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**Date**

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