



EXECUTIVE DECISION RECORD ¹

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (the '2012 Regulations')

This is formal notice pursuant to Regulation 11 of the 2012 Regulations that a decision on the following matter will be made by officers:-

Subject: <i>HERTS LIVING LTD LOAN</i>	
<i>(If an Key Decision please use the same title as provided in the Forward Plan)</i>	
Officer Contact: Steven Pilsworth	Executive Members: Ralph Sangster
Tel:01992 555737	Portfolio: Resources & Performance

1. **Decision**

To approve the proposal

2. **Reasons for the decision**

The proposed decision relates to a specific property, in which the purchase will be made by Herts Living Ltd funded by a loan from Hertfordshire County Council in the sum of £14m. The urgency is because this is a commercially sensitive property transaction, which, if delayed, may not be able to progress. If that occurred, the Council would be at a disadvantage having missed out on a source of future revenue, and costs associated with the transaction would need to be written off.

As such, the decision on this matter must be taken by such a date that it is impracticable to comply with Regulation 10 of the 2012 Regulations.

In accordance with the Regulations and the County Council's Constitution, the consent of the Chairman of the Council's Overview and Scrutiny Committee has been obtained and the relevant Opposition Spokesmen have been consulted on the matter about which the decision is to be made.

QUENTIN BAKER
CHIEF LEGAL OFFICER
9 DECEMBER 2019

3. **Alternative options considered and rejected ²**

None.

4. **Consultation³**

Was any Member consulted? Yes

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If yes:

(a) Comments of Chairman of the Overview & Scrutiny Committee:

? None ?

(b) Comments of Opposition Spokesman:

? None ?

There are no other consultees.

5. **Any conflict of interest declared by a member who has been consulted in relation to the decision⁴**

None.

6. *Following consultation with Members, I am proceeding with the above decision.*

Signed:

Title: Assistant Director – Finance

Date: ...12th March 2020

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.⁵

¹ for guidance see Chief Legal Officer's note "Taking Decisions" and Annex 3 to the Constitution

² details of any alternative options considered and rejected by the officer at the time the decision was made

³ Before an Officer takes any decision under delegated powers s/he must consider whether to involve Members. The table below sets out when members should be informed or consulted

Significance of Proposed Action	Controversial	Relevant Member(s) to be Consulted
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	Consult relevant Lead Executive Member and where appropriate, Local Councillor
Local	No	Inform Lead Executive Member and Local Member
Local	Yes	Consult Lead Executive Member and Local Councillor
General or County-wide	No	Consult relevant Lead Executive Member(s)
General or County-wide	Yes	Consult relevant Lead Executive Member (s) and Leader of the Council

⁴ record any conflict of interest declared by any Executive Member consulted. If an Executive Member declares a conflict of interest DO NOT PROCEED without seeking advice from the Chief Legal Officer

⁵ The following Officer Decision Records and supporting documents need to be sent to the Democratic Services:

- Key Decisions

DECISION RECORD

- Decisions made by officers pursuant to delegations from Cabinet
- All decisions which affect third parties or involve services to people other than the County Council (but not individual social care/education decisions)
- Any other decisions except decisions of a trivial or insignificant nature or which are part of general administration and cannot be regarded as closely related to a particular executive function