

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK
Notice under Regulation 5 (6) of
The Local Authorities (Executive Arrangements) (Meetings and Access to
Information) (England) Regulations 2012

I HEREBY GIVE NOTICE THAT

(1) The matter listed below has not been included in the Council's *Forward Plan* as an item of business that is likely to be taken in private at the meeting of the Cabinet on Monday 21 August 2018 on the grounds that it is impracticable to comply with the notice requirements of regulation 5 with respect to decisions being made in private, the matter being urgent and unable reasonably to be deferred.

Item of Business	Reason for Non-Compliance with the Notice Requirements of Regulation 5
King's Lynn - Commercial leasing land at the Willows	<p>EP UK Power Development Ltd, a subsidiary of EP(UK) Investments, acquired the site for the proposed King's Lynn 'B' Power Station from Centrica in 2017. EP UK has gained, or is in the process of gaining, planning permission (variation) from the Secretary of State for Business, Energy and Industrial Strategy.</p> <p>Negotiations in respect of the proposals set out within the Cabinet Report to be considered on 21st August 2018 have been on-going and terms are largely agreed, save for the rent payable, however it is anticipated that agreement will be reached during August 2018.</p> <p>Following discussion with the Legal Services Manager the view was formed that this proposal is a Key Decision and should be included on the Forward Decisions List, but this had not been possible in the relevant time frame.</p> <p>EP UK need to have secured all the necessary consents and land agreements by mid-September otherwise they may be prohibited from bidding at the Capacity Auction that will secure their ability to supply energy into the Grid therefore it is necessary for this proposal to be considered by Cabinet on the 21st August 2018.</p>

(2) Councillor H Humphrey, as the Chairman of the Corporate Performance Panel of The Borough Council of King's Lynn and West Norfolk, has been informed that the meeting of the Cabinet on Tuesday 21 August 2018 may consider the aforesaid report in private, pursuant to regulation 5 (6) of the afore-mentioned regulations, it being impracticable to comply with the publication requirements of regulation 5 in respect of decision being made in private.

Ray Harding
Chief Executive

8 August 2018