

## GUILDFORD BOROUGH COUNCIL

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

#### Notice under Regulation 11 (Special Urgency)

As the date by which the key decision referred to below must be taken makes compliance with Regulations 9 and 10 of the 2012 Regulations impracticable, I hereby give notice that the Chairman of the Council's Overview and Scrutiny Committee has agreed that the making of the decision is urgent and cannot reasonably be deferred for the reasons stated in the table below.

<b>Key Decision: G Live Contract and Lease</b>	<b>Reasons for Non-Compliance with the Requirements of Regulations 9 and 10</b>
<p>(1) To extend the G Live Contract with HQ Theatres from 1 October 2021 for 3 years until 30 September 2024.</p> <p>(2) To grant a Lease to HQ Theatres for a term of 3 years from 1 October 2021 until 30 September 2024.</p> <p>(3) To agree that the Lease and Contract shall be co-terminus.</p>	<p>HQ Theatres were appointed as the operator of G Live following an open tender process for a term of 10 years in 2011, a co-terminus Lease was granted to HQ Theatres at the same time.</p> <p>The G Live contract and lease expire on 30 September 2021.</p> <p>The Council had planned to commence an open tender process for a new contract in April 2020 with the new contract commencing on 1 October 2021. However, due to the Covid19 pandemic lockdowns causing theatres to close and uncertainty in the theatre market, the process was put on hold. The ongoing uncertainty has meant that the Council has not been in a position to tender the contract to date and does not believe it would receive competitive tenders at this time or within the next 12 months.</p> <p>The Council has negotiated an improved management fee with HQ Theatres over the extension period, details of which were submitted on Monday 16 August 2021.</p> <p>The urgency of this decision is due to the fact that, with the current contract expiring on 30 September 2021, the Council is required to publish an OJEU notice 30 days in advance of entering into the extension. This means that the decision needs to be taken before 31 August 2021.</p> <p>It was therefore not practicable to:</p> <ul style="list-style-type: none"><li>(a) publish a notice of key decision in respect of this matter in the Forward Plan at least 28 days prior to 24 August 2021, under the requirements of Regulation 9, or</li><li>(b) inform the chairman of the Overview and Scrutiny Committee by notice in writing of the matter about which the key decision is to be made, and publish that notice on the Council's website giving five clear days' notice before the key decision is due to be taken under the requirements of Regulation 10.</li></ul>

The key decision referred to above will be taken by the Executive its meeting to be held on 24 August 2021.

Councillor Joss Bigmore  
Leader of the Council  
20 August 2021