



London Borough of Hounslow

Regulation 10 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 ("the Regulations")

GENERAL EXCEPTION NOTICE

1. The Council's Cabinet is to consider a report under the title "Local Plan Review – The Way Forward". The Cabinet is a relevant "decision-making body" under the Regulations.
 2. Regulation 9 of the Regulations applies as the recommendation in the report is considered to be a 'key decision' in that it is significant in terms of its effects on communities living and working in the Borough. Regulation 9 requires at least 28 clear days advance publication of a document setting out that a key decision is to be made, the matter in respect of which the decision is to be made, the name of the decision making body and its members, the date on which the decision will be made, a list of the documents submitted to the decision maker in respect to the decision to be made, the address from where to obtain copies of such documents, notice that other documents may be submitted to the decision maker and the procedure for requesting details.
 3. Regulation 10(1) of the Regulations provides:

"... where the publication of the intention to make a key decision under regulation 9 is impracticable, that decision may only be made –

 - (a) where the proper officer has informed the chairman of the relevant overview and scrutiny committee...;
 - (b) where the proper officer has made available at the offices of the relevant local authority for inspection by the public and published on the relevant local authority's website...a copy of the notice given pursuant to sub-paragraph (a); and
 - (c) after five clear days have elapsed following the day on which the proper officer made available the notice referred to in sub-paragraph (b)."
 4. The reasons that the Council needs to invoke Regulation 10(1) is that the publication of the intention to make the decision referred to in paragraph 1 in accordance with Regulation 9 is impracticable because:
 - (i) The decision relates to how the Council progresses its Local Plan Review. The Local Plan is the Borough's key planning document and is a statutory requirement under the Planning and Compulsory Purchase Act 2004 and Town and Country Planning (Local Planning) (England) Regulations 2012.
 - (ii) Three Volumes of the Local Plan are currently at Examination in Public. The Council was required to write to the presiding Inspectors by 31 March 2023 to confirm how it wishes to proceed. After very careful consideration a way forward has recently been identified by the Council that needs to be ratified by the Cabinet before a substantive response can be provided to the Inspectors. The Inspectors have consequently agreed to an extension to the time by which the Council needs to set out its position to
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them, on the basis that the matter is determined by the Cabinet at its meeting on 18 April 2023.

- (iii) The decision needs to be made by the Cabinet on 18 April 2023 to avoid undue delay in providing a substantive response to the Inspectors, and more generally, to avoid unnecessary delay in positively progressing the Local Plan. The Local Plan will deliver a number of key benefits to local residents and businesses, including in terms of meeting future housing needs, addressing climate change and helping to protect and enhance the natural and built environment.

- 5. The Chair of the Overview and Scrutiny Committee has been informed that it is impracticable to comply with the usual publication requirements.

Thomas Ribbits, Head of Democratic Services
Proper Officer of the Council
31st March 2023