



Forest Heath District Council

Decisions Plan

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

Decisions Plan of Intended Key Decisions

Date: October 2016 to May 2017: General Exception Notice

Publication Date: 30 September 2016

Notice is hereby given that the Chairman of Forest Heath District Council's Overview and Scrutiny Committee has been informed, in accordance with Regulation 10 of the above Regulations, that the date by which the key decision set out below must be taken make compliance with the requirements for notification of a key decision being made under Regulation 9(2) of the above Regulations impracticable enabling, in this case, the matter to be considered by a body with executive decision-making powers. The intended key decision is urgent for the reasons stated and cannot reasonably be deferred.

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, require the publication of intended key decisions and when bodies with executive decision-making powers will consider items in private, at least 28 clear days in advance of the decision being taken or the item being considered in private. In this instance, the required 28 clear days notice is unable to be provided.

Members of the public may wish to:

- make enquiries in respect of the intended decision listed below;
- receive copies of any of the documents in the public domain listed below;
- receive copies of any other documents in the public domain relevant to those matters listed below which may be submitted to the decision taker

In all instances, contact should be made with the named Officer in the first instance, either on the telephone number listed against their name, or via email using the format firstname.surname@westsuffolk.gov.uk or via Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, Suffolk, IP28 7EY.

The October 2016 to May 2017 version of the Decisions Plan was published on 26 September 2016, which provided at least 28 clear days notice of future intended key decisions/items to be considered in private. This Exception Notice is now available for public inspection at Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Bury St Edmunds, Suffolk, IP28 7EY and has been published on the Council's website.

Expected Decision Date	Subject and Purpose of Decision	Reason for taking item in private (see Note 1 for relevant exempt paragraphs)	Decision (D), Key Decision (KD) or Rec (R) to Council on date (see Note 2 for Key Decision definitions)	Decision Taker (see Note 3 for membership)	Portfolio Holder Contact Details	Lead Officer Contact Details	Wards Affected	Documents to be submitted
11/10/16 (Extra-ordinary Meeting)	<p>Hatchfield Farm Planning Decision - Next Steps</p> <p>The planning application on this site has been the subject of a decision by the Secretary of State. There is a window of opportunity to pursue a High Court Challenge in respect of that decision, which is due to expire on 12 October 2016.</p> <p>There are a number of issues which need to be taken into account in deciding whether there is any merit in seeking to challenge the Secretary of State and the Cabinet will be looking to consider the options. This necessitates arranging an extraordinary meeting of the Cabinet to look at the issues and decide on the best course of action. There is no other Cabinet meeting at</p>	Not applicable	(KD) This decision would potentially be significant in terms of its effect on the local community.	Cabinet	Lance Stanbury Planning and Growth 07970 947704	Steven Wood Head of Planning and Growth 01284 757306	All Wards	Report to Cabinet

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	<p>which this could have been taken for consideration, given the timeframe.</p> <p>Given the timeframe that is being worked to, it has not been possible to provide for 28 days notice of the decision. Under the Access to Information Procedure Rules of the Council's Constitution, paragraph 16.1 relates to a Key Decision (which this is) and requires that where the normal procedure cannot be followed, the Chairman of the Overview and Scrutiny Committee is to be informed as to why the taking of the decision cannot be reasonably deferred. This has been undertaken accordingly.</p>							

NOTE 1: DEFINITIONS OF EXEMPT INFORMATION: RELEVANT PARAGRAPHS

In accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended)

The public may be excluded from all or part of the meeting during the consideration of items of business on the grounds that it involves the likely disclosure of exempt information defined in Schedule 12(A) of the Act, as follows:

PART 1

DESCRIPTIONS OF EXEMPT INFORMATION: ENGLAND

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

In accordance with Section 100A(3) (a) and (b) of the Local Government Act 1972 (as amended)

Confidential information is also not for public access, but the difference between this and exempt information is that a Government department, legal opinion or the court has prohibited its disclosure in the public domain. Should confidential information require consideration in private, this will be detailed in this Decisions Plan.

NOTE 2: KEY DECISION DEFINITIONS

Key decisions are:

- (a) A key decision means an executive decision which, pending any further guidance from the Secretary of State, is likely to:
 - (i) Be significant in terms of its effects on communities living or working in an area in the Borough/District; or
 - (ii) Result in any new expenditure, income or savings of more than £50,000 in relation to the Council's revenue budget or capital programme.
 - (iii) Comprise or include the making, approval or publication of a draft or final scheme which may require, either directly or in the event of objections, the approval of a Minister of the Crown.
- (b) A decision taker may only make a key decision in accordance with the requirements of the Executive procedure rules set out in Part 4 of this Constitution.

NOTE 3: MEMBERSHIP OF BODIES MAKING KEY DECISIONS

(a) Membership of the Cabinet and their Portfolios:

<u>Cabinet Member</u>	<u>Portfolio</u>
James Waters	Leader of the Council;
Robin Millar	Deputy Leader of the Council; Families and Communities
David Bowman	Operations
Andy Drummond	Leisure and Culture
Stephen Edwards	Resources and Performance
Lance Stanbury	Planning and Growth

(b) Membership of the Anglia Revenues Partnership Joint Committee (Breckland Council, East Cambridgeshire District Council, Fenland District Council, Forest Heath District Council, Suffolk Coastal District Council, St Edmundsbury Borough Council and Waveney District Council (Membership amended from 1 December 2015 to one Member/two Substitutes per Authority)

Full Breckland Cabinet Member	Full East Cambridgeshire District Council Cabinet Member	Full Fenland District Council Cabinet Member	Full Forest Heath District Council Cabinet Member	Full Suffolk Coastal District Council Cabinet Member	Full St Edmundsbury Borough Council Cabinet Member	Full Waveney District Council Cabinet Member
Cllr Pablo Dimoglou	Cllr David Ambrose-Smith	Cllr Chris Seaton	Cllr Stephen Edwards	Cllr Richard Kerry	Cllr Ian Houlder	Cllr Mike Barnard
Substitute Breckland Cabinet Members	Substitute East Cambridgeshire District Council Cabinet Members	Substitute Fenland District Council Cabinet Members	Substitute Forest Heath District Council Cabinet Members	Substitute Suffolk Coastal District Council Cabinet Members	Substitute St Edmundsbury Borough Council Cabinet Members	Substitute Waveney District Council Cabinet Members
Cllr Michael Wassell	Cllr Lis Every	Cllr John Clark	Cllr James Waters	Cllr Geoff Holdcroft	Cllr Sara Mildmay-White	Cllr Sue Allen
Cllr Ellen Jolly	Cllr Julia Huffer	Cllr Will Sutton	Cllr David Bowman	Cllr Ray Herring	Cllr Robert Everitt	Cllr Letitia Smith

Steven Boyle
 Interim Service Manager (Legal and Democratic Services)
 Date: 30 September 2016