

Publicity in connection with key decisions & General Exception for Key Decisions.

Use of the General Exception Procedure

I am writing to notify you that Cabinet intends to consider a Key Decision at its meeting on 17th November 2020 that will not have been publicised for 28 clear days in advance of it being made, in accordance with the requirements of Regulation 9 of *The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012*.

The Key Decision in question is:

Approval of recommended actions arising from a review of Community Infrastructure Levy as follows:

- 1. That Cabinet notes the ongoing work to review the management and administration of the Community Infrastructure Levy.*
- 2. That Cabinet approves that following detailed investigation and receipt of independent legal advice that no further action is taken regarding any potential Community Infrastructure Levy liability with respect to the 8 applications identified in Appendix 1 to this report.*
- 3. That Cabinet agree to 'write off' £150,425.26 potential income associated with the 8 applications identified in Appendix 1.*
- 4. That Cabinet delegates to Strategic Director – Places in consultation with the Section 151 Officer and Portfolio Holder for Resources the authority to approve a further 'write off', if necessary, of up to £31,000 to conclude outstanding historic CIL liability cases.*

Regulation 10 of the 2012 Regulations states that where the publication of the intention to make a Key Decision under Regulation 9 is impracticable, that decision may only be made where the proper officer has informed the Chairman of the relevant Scrutiny Committee by notice in writing, of the matter about which the decision is to be made. In this instance, the relevant Scrutiny Committee is the *Growth, Infrastructure and Resources Scrutiny Committee*.

In the circumstances, it would be impracticable to comply with Regulation 9 (which requires publication of the intention to make a Key Decision to happen 28 days in advance of the decision being made). It would be impracticable because:

The making of this decision is urgent and cannot reasonably be deferred because:

It is not appropriate to delay the reporting of a significant issue with a financial impact.

If you have any queries about this anticipated decision or you need further explanation about how the procedure outlined above works, please contact me and I shall be happy to

help.

Please acknowledge receipt of this letter.

For further guidance and information – please refer to the Constitution, Part 4, Cabinet Procedure Rules, Procedure Rules 242 to 244.