

**NOTICE TO CHAIR OF OVERVIEW AND SCRUTINY COMMITTEE  
OF A GENERAL EXCEPTION TO THE PUBLICATION OF THE  
INTENTION TO MAKE A KEY DECISION<sup>1</sup>**

**AND**

**NOTICE SETTING OUT REASONS WHY PUBLICITY  
REQUIREMENTS ARE IMPRACTICABLE<sup>2</sup>**

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<sup>1</sup> In accordance with Regulation 10(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>2</sup> In accordance with Regulation 10(3) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. Where a decision maker intends to make a key decision that decision must not be made until at least 28 clear days public notice has been given<sup>3</sup>.
2. Where the publication of the intention to make a key decision is impracticable, that decision may only be made where the Chair of the Overview and Scrutiny Committee has been informed of the matter about which the decision is to be made, notice to the Chair has been made available for public inspection at the Council offices and published on the Council's website, and after 5 clear days have elapsed following the day on which notice to the Chair was made publicly available<sup>4</sup>.
3. **This notice is to inform the Chair of the Overview and Scrutiny Committee that it has been impracticable to give 28 clear days public notice of the item(s) set out below for the reasons set out below and that it is intended that the key decision(s) will be made on the date specified below.**
4. **Notice is also given to the public that the reasons why compliance with the requirements for publicity in connection with key decisions are impracticable are set out below.**

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<sup>3</sup> In accordance with Regulation 9(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>4</sup> In accordance with Regulation 10(1) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

General Exception Notice 28 February 2022

Date of decision or period within which the decision is to be made	Matter in respect of which the decision is to be made	Short description	Decision maker	Cabinet Member & Lead Officer	List of documents to be submitted to the decision maker	Public or Private meeting. Statement of reasons if private	Reasons why impracticable to give 28 days' clear public notice
8 March 2022	Consideration of the proposals for the development of the site of the Former Care Home at 100 Woodside Avenue and the terraces at 102 to 108 and 110 to 116 Woodside Avenue.	<p>The report and recommendations arise in response to report by the Local Government and Social Care Ombudsman (reference number: 20 006 289)</p> <p>a) Not to acquire 104 Woodside Avenue                      b) Not to consider the potential decanting of the tenanted homes belonging to the Council at 102 and 106 to 116 Woodside Avenue                      c) To proceed with the development of the proposal for 100 Woodside Avenue as outlined in the planning application HGY/2021/2727 as set out in paragraph 3.2 of the report                      d) That a further report will be bought back to Cabinet for final decision regarding this development in due course.</p>	Cabinet	<p>Cabinet Member for House Building, Place - Making and Development</p> <p>Assistant Director for Housing</p>	Report of the Director for Housing Regeneration, Planning	Public	<p>There was a need to strategically, legally, and financially assess and complete the action required to take forward the specific LGO recommendation which was to reconsider the proposals for the development of the site and also included considering all the possible options for the site including the inclusion of the terrace of houses in the scheme. The LGO advised that if the decision is to proceed with the development including the terrace of houses the Council should provide a remedy to the tenants who were wrongly assured that they would be able to stay in the properties. If a remedy cannot be agreed they can make a complaint to us.</p> <p>Given the LGO report was issued on 10 January it was not practicable to comply with the 28-day notice requirement in Part Four, Rules of Procedure Section D, Rule 13 of the constitution to consider and assess the options for the site could be ready for the Cabinet Meeting when the Forward Plan [28-day notice of Key decisions] was issued on 7 February for the March Cabinet Items. Since this date these assessments</p>

							have been completed and information compiled to take these decisions to the March meeting. This decision cannot await the June Cabinet meeting as there is a need to provide residents in the area with certainty on the proposed next steps.
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Published: 28 February 2022