

# **STOCKTON-ON-TEES BOROUGH COUNCIL**

## **MEETING OF CABINET TO BE HELD ON 19<sup>th</sup> MAY 2016**

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

#### **Notice of Key Decisions – General Exception**

Under Regulation 9 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the Council is required to give 28 clear days' notice if it intends to make a key decision.

Regulation 10(1) allows, that if it is impracticable for the Council to give the required 28 clear days' notice, the decision may still be made if the Chair of Executive Scrutiny has been given notice in writing of the matter about which the decision is to be made, a copy of the notice is made available for inspection by the public and is published on the Council's website, and at least 5 clear days have elapsed following the day on which the notice is made available for inspection by the public.

#### **Intention to consider business in private - Agreement of the Chair of Executive Scrutiny under Regulation 5(6)(a)**

Under Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 the Council is required to give 28 days' notice if it intends to hold a meeting of the Cabinet in private or partly in private. This is required on occasions where there is a report which contains information exempt from publication.

If the Council is not able to give the required notice it must first obtain the agreement of the Chair of the Executive Scrutiny Committee and publish a copy of that notice (Regulation 5(7)).

Set out below is a notice given in line with the requirements of Regulations 10 and 5.

#### **Notice is hereby given that:-**

- (1) under Regulation 10(3) it is the Council's intention to make key decisions in respect of the below items of business at its Cabinet meeting on 19 May 2016.
- (2) the Council's Cabinet will, on 19 May 2016, consider the items of business listed below, in private, without having first complied with the notice and publication requirements of regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012
- (3) the Chair of the Executive Scrutiny Committee, Councillor David Harrington, has agreed that the consideration of each of the matters is urgent and cannot reasonably be deferred and that the meeting of Cabinet on Thursday 19 May 2016 may therefore consider the below matters in private, pursuant to regulation 5(6) of the regulations.
- (4) The public may make representations about why the meeting should be held in public.

| Item of Business           | Reason report is Private  | Reason report is urgent and cannot reasonably be deferred  |
|----------------------------|---|--|
| Durham Tees Valley Airport | <p>The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972, Schedule 12A, Part I, Paragraph 3 and 5;</p> <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings;</p> | <p>The reason the report is urgent and cannot reasonably be deferred is to consider new information necessary to secure progress in relation to the proposals contained in the Master Plan for Durham Tees Valley Airport which may prejudice the Council if delayed and it would be impracticable to provide at least 28 days clear notice.</p> |
| North Shore Hotel          | <p>The report contains exempt information and is therefore NOT FOR PUBLICATION by virtue of Local Government Act 1972, Schedule 12A, Part I, Paragraph 3;</p> <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p>  | <p>The reason the report is urgent and cannot reasonably be deferred is in order to secure efficient and cost effective delivery of the project within the proposed indicative programme, and it would be impracticable to provide at least 28 days clear notice.</p>  |