

Councillor Bernie O'Neil

Via Email

Contact: Mrs. Claire Hughes
Direct Line: 01594 812515
Direct Fax: 01594 812470
Email: claire.hughes@fdean.gov.uk
Our Ref: CH/CORP/0000001
Your Ref:
Date: 02 October 2017

Dear Councillor O'Neil

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

In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (the Regulations) please find attached formal notice, issued to you in your capacity as chairman of the Council's Strategic Overview and Scrutiny Committee.

You will see from the attached notice that the Council's Executive wish to consider an exempt item at its meeting on 12th October 2017, which has not be the subject of the 28 days notice required under the regulations.

Having considered the matter as Proper Officer I am satisfied that it would be impractical to comply with the regulations and that it would be appropriate to rely on the exemption to publication provided in regulation 10.

A copy of the attached notice, together with a notice setting out the reasons why compliance with the regulations was impracticable will be published on the Council's website at least 5 clear days before the decision is taken.

I trust that this notification does not cause you any difficulties but if you wish to discuss the matter further please do not hesitate to contact me.

Yours sincerely



Mrs. Claire Hughes
Legal Team Manager and Monitoring Officer

Forest of Dean District Council

Notice under Regulation 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

1. At least 28 clear days before a private meeting¹, the decision-making body must make available at its offices a notice of the intention to hold the meeting in private, and must also publish that notice on their website (if they have one)².
2. The notice referred to in paragraph 1 above must also include a statement of the reasons for the meeting to be held in private³.
3. At least 28 clear days before making a key decision⁴, the decision-making body must make available at its offices a notice of the intention to make that decision, and must also publish that notice on their website (if they have one)⁵
4. The notice referred to in paragraph 3 above must include a statement of the reasons for the meeting to be held in private, details of any representations received about why the meeting should be open to the public, and a statement of its response to any such questions.
5. Where the date by which a meeting must be held makes compliance with the above requirements impractical, the meeting may only be held in private and a key decision taken where the decision-making body has obtained agreement from the chairman of the relevant overview and scrutiny committee that the meeting is urgent and cannot reasonably be deferred⁶.

¹ A 'private meeting means a meeting, or part of a meeting, of the decision-making body during which the public are excluded due to the confidential or exempt nature of the business being transacted

² Regulation 5(2) of the Regulations

³ Regulation 5(3) of the Regulations

⁴ 'Key Decision' means an executive decision, which is likely to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates; or to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority

⁵ Regulation 9 of the Regulations.

⁶ Regulation 10 of the Regulations

NOTICE IS HEREBY GIVEN that the compliance with the requirements for giving public notice has been impracticable in relation to the items of business detailed in the below table:

Date of decision	Matter	Short description	Decision maker	Cabinet Member and Lead Officer	List of documents submitted to decision maker	Statement of reasons
12 th October 2017	Purchase of Investment Properties	To ratify the decision to submit a bid to purchase investment properties	Cabinet	Councillor Richard Leppington – Cabinet Member for Development, Asset Management, Infrastructure and Housing Christine Cushway – Strategic Property Manager	Report of Christine Cushway – Strategic Property Manager	Private: All or part of the report will contain exempt information under Paragraphs 3 of Part 1 of Schedule 12A of the Local Government Act 1972.