

Executive Decision Individual Decision Notice



Decision Maker: Cabinet, 1 August 2022

Classification:
Unrestricted

Making of Article 4 direction for the removal of permitted development rights for the change of use from E-class uses to residential (C3)

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is required to be given of the intention to take Executive Key Decisions.

Notice is given either through an Individual Decision Notice or through the Forward Plan. Notice must normally be given 28 Days' before the decision can be taken.

Key Decision? Yes	Ward(s) All Wards
Summary of Decision	<p>The Council is seeking to confirm the Article 4 Direction that was made in August 2021 to remove permitted development rights for changes of use from Class E uses to Class C3 residential uses in specific location in the borough (town centres and designated employment sites).</p> <p>The Article 4 direction would result in the need for planning permission to be obtained for the above changes of use.</p>

Community Plan Theme	All
Cabinet Member	TBC
Who will be consulted before decision is made and how will this consultation take place	<p>Landowners; Other key stakeholders such as the local community, adjoining and neighbouring local planning authorities, developers etc.;; Secretary of State</p> <p>Landowners and other key stakeholders were notified and invited to respond for a period of six weeks following the notification.</p> <p>LBTH received a total of 14 consultation responses, all either in support of the Article 4 Direction or neutral.</p> <p>LBTH received a response from the Secretary of State requesting that the geographical scope of the Article 4 Direction be reduced.</p>

Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	Screening Tool at the end of this form, no further assessment needed
Contact details for comments or additional information	Jennifer Peters (Divisional Director, Planning and Building Control, Place) Jennifer.Peters@towerhamlets.gov.uk
What supporting documents or other information will be available?	Appendix 1 – Justification Report Appendix 2 – Evidence Base Reports Appendix 3 – Amendments agreed with DLUHC
Is there an intention to consider this report in private session and if so why (Paragraph number – see notes section)?	No, Unrestricted

NOTES

Advance notice of Key Decisions

Key decisions are all those decisions which involve major spending, or savings, or which have a significant impact on the local community. The precise definition of a key decision adopted by Tower Hamlets is contained in Section 3 of the [Constitution](#). Key Decisions are taken by the Mayor, by the Mayor in Cabinet or by the cabinet collectively.

Individual notices of new Key Decisions will be published on the website as they are known, whilst a Forward Plan collating these decisions will be published 28 days before each Cabinet meeting. The Forward Plan will be published on the Council's website and will also be available to view at the Town Hall and Libraries, Ideas Centres and One Stop Shops if required. [The Committee pages](#) on the Council website include copies of the Forward Plan, Cabinet and other meeting dates and the publication dates of the Forward Plan.

If, due to reasons of urgency, a Key Decision has to be taken where 28 days' notice have not been given. Notice will be published (including on the website) as early as possible and Urgency Procedures as set out in the Constitution will have to be followed.

The most effective way for the public to make their views known about the issues listed in the Forward Plan is to examine the consultation column of the Forward Plan, and/or contact the report author or Cabinet Lead Member as soon as possible, and no later than 10 working days before the decision is expected to be taken.

Reports, appendices and background papers will be available on the Council's website 5 clear working days before the Cabinet meeting. For all other information or to submit documents in relation to any issue, please contact the relevant officer.

Notice of Intention to Conduct Business in Private

The Council is also required to give at least 28 days' notice if it wishes to consider any of the reports on the agenda of an Executive meeting (such as Cabinet) in private session. The last row of each item below will indicate any proposal to consider that item in private session. Should you wish to make any representations in relation to an item being considered in private please contact Democratic Services on the contact details listed below. Note that this applies to Cabinet but not to Individual Mayoral Decisions outside of Cabinet.

The notice may reference a paragraph of Section 12A of the 1972 Local Government Act. In summary those paragraphs refer to the following types of exempt information (more information is available in the Constitution):

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 handling the information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters 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
 - a) 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.

Democratic Services Contact Details:

Contact Matthew Mannion
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