

**Executive Decision  
Individual Decision Notice**



**Decision Maker:** Cabinet, 27 Jun 18

**Classification:**  
[Unrestricted]

**Isle of Dogs Neighbourhood Plan Examiner's Report and Council's Response (Regulation 25)**

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is hereby given that an Executive Key Decision is required to be taken under General Exception Urgency provisions as it is not possible to provide at least 28 clear days' notice of the decision but it is possible to give at least 5 clear days' notice of the decision.

As required under the above regulations, the Chair of the Overview and Scrutiny Committee will be notified of the above decision being taken under the General Exception Provision.

This notification will be published as soon as possible before the decision is taken, stating why the decision must be taken urgently.

**Reason why it is impractical to provide 28 clear days' notice of the decision:**

On Thursday 7th June, the Council and Forum received the final Examiner's Report on the Isle of Dogs Neighbourhood Plan.

National legislation requires the Council to now make a decision with regards to the Examiner's recommendations and come to our own conclusion as to whether the Plan meets the statutory requirements.

Statutory deadlines require this decision to be made within 5 weeks from the 8th of June. The Mayor has requested that for transparency, we bring the report to Cabinet on June 27th, as that is the only public meeting during the 5 week deadline.

For reasons of fairness and impartiality, we are not given an early indication of what the Examiner's view would be until we and the Forum received his draft report for confidential fact checking. This was received on the 30th of May.

The statutory deadline and lack of pre-knowledge of the report meant that we were unable to publish a decision notice with 28 days' notice in advance of the June 27th Cabinet meeting.

**Signature:**

Owen Whalley

**Date:**

14 June 2018

**Further details of the decision to be taken:**

<b>Key Decision? Yes</b>	<b>Ward(s)</b> Blackwall & Cubitt Town; Canary Wharf; Island Gardens
<b>Summary of Decision</b>	<p>This report notes the Isle of Dogs Neighbourhood Plan Report of Examination (Appendix 1) received on the 7<sup>th</sup> of June 2018 and the Examiner's recommendation that the draft Neighbourhood Plan does not meet the basic conditions stipulated by legislation and therefore is refused and cannot proceed to referendum.</p> <p>As required by the Town and Country Planning Act 1990 (as amended) this report considers the recommendations in the report and decides what action to take in relation to each and make a decision regarding whether the draft neighbourhood plan meets the basic conditions and legal requirements, or could meet the basic conditions and legal requirements, if modifications were made to the draft Plan.</p> <p>To agree with the Examiner's recommendations and therefore that the plan proposal be refused and not proceed to referendum.</p> <p>As required by statutory deadlines, to make this within 5 weeks from the 8th of June.</p>

<b>Community Plan Theme</b>	<b>Creating and maintaining a vibrant, successful place</b>
<b>Cabinet Member</b>	Deputy Mayor for Regeneration and Air Quality (Councillor Rachel Blake)
Who will be consulted before decision is made and how will this consultation take place	<p>For the first consultation, hard copies of the draft Isle of Dogs Neighbourhood Plan were available to view at the Canary Wharf Idea Store and 5 drop in events were held during the consultation period. The documents were also available to download from the Isle of Dogs Neighbourhood Forum website and a link was provided on the Tower Hamlets Council website. The plan was sent to all the Consultation Bodies listed in Schedule 1 of the 2012 Regulations the Forum considered may be affected by the proposals.</p> <p>For the second consultation, documents were made available at the Town Hall, Canary Wharf Idea Store, Cubitt Town Library and the Council's Website. A public notice was published in the local press, and interested persons on the Council's Planning Policy database were informed.</p> <p>As required by legislation, two public consultations have taken place on the draft Neighbourhood Plan.</p> <p>The first consultation, run by the Neighbourhood Forum, was held from 8th March 2017 to 19th April 2017 but the Consultation Statement states that the consultation period was not formally closed and they continued to receive and include comments after the formal end date.</p>

	The second consultation, run by the Council, was held from 11 <sup>th</sup> January 2018 to 22 <sup>nd</sup> February 2018.
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No, EqlAs are only required when whenever a proposal is significantly changed or newly implemented. This report does not recommend a new proposal or significant change.
Contact details for comments or additional information	Owen Whalley (Divisional Director, Planning & Building Control) owen.whalley@towerhamlets.gov.uk
What supporting documents or other information will be available?	All documents relation to the Isle of Dogs Neighbourhood Planning Forum, including previous Council decisions, a copy of their draft plan and information regarding the Examination are available here:  <a href="https://www.towerhamlets.gov.uk/lgnl/planning_and_building_control/planning_policy_guidance/neighbourhood_planning/Isle_of_Dogs.aspx">https://www.towerhamlets.gov.uk/lgnl/planning_and_building_control/planning_policy_guidance/neighbourhood_planning/Isle_of_Dogs.aspx</a>
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 Article 13.03 of the [Constitution](#). Key Decisions are taken by the Mayor, or the Mayor in Cabinet.

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
  - b) 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  
Officer:           Democratic Services  
Email:           [matthew.mannion@towerhamlets.gov.uk](mailto:matthew.mannion@towerhamlets.gov.uk)  
Telephone:       020 7364 4651  
Fax No:           020 7364 3232