

Cabinet – Supplementary agenda no. 2

A meeting of the Cabinet will be held on:

Date: 7 March 2023

Time: 3.00pm

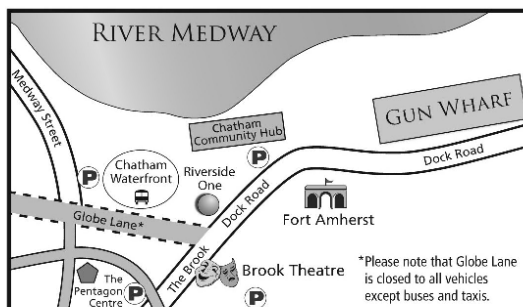
Venue: Meeting Room 9 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

Items

- | | | |
|-----|-------------------------------|-------------------|
| 9. | Exclusion of Press and Public | (Pages
3 - 4) |
| 10. | Update on legal proceedings | (Pages
5 - 18) |

For further information please contact Jon Pitt, Democratic Services Officer/Teri Reynolds, Democratic Services Officer on Telephone: 01634 332715/332104 or Email: democratic.services@medway.gov.uk

Date: 7 March 2023



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CABINET

7 MARCH 2023

EXCLUSION OF THE PRESS AND PUBLIC – ADDENDUM REPORT

Portfolio Holder: Councillor Alan Jarrett, Leader of the Council

Report from: Bhupinder Gill, Assistant Director -
Legal and Governance

Author: Teri Reynolds, Democratic Services Officer

Summary

This report summarises the content of an exempt report, which, in the opinion of the proper officer, will contain exempt information within one of the categories in Schedule 12A of the Local Government Act 1972. It is a matter for the Cabinet to determine whether the press and public should be excluded from the meeting during consideration of these documents.

1. Recommendation

- 1.1 The Cabinet is required to decide whether to exclude the press and public during consideration of the following document because consideration of this matter in public would disclose information falling within one of the descriptions of exempt information contained in Schedule 12A to the Local Government Act 1972, as specified below, and, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

Report Title	Update on Legal Proceedings
Agenda Item	10
Summary	This exempt report will ask the Cabinet to make a decision on whether to proceed to appeal on a legal matter.
Category of exempt information (Schedule 12A of the	Not for publication under paragraph 5 of Schedule 12A of the Local Government Act 1972 – Information relating to financial or business affairs

Local Government Act 1972)	of any particular person (including the authority holding that information).
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- 1.2 Members are advised that the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires 28 clear days' notice of a Cabinet meeting to be held in private.
- 1.3 On this occasion it has not been possible to provide this 28 clear days' notice nor 5 clear days' notice, therefore Sections 5 (Procedures prior to private meetings) and 11 (Cases of special urgency) of the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 and Rules 13 (Procedure prior to a private meeting of the Cabinet) and 17 (Special urgency) of the Council's Access to Information Rules, as set out in the Constitution, have been complied with. The Chairman of the Children and Young People Overview and Scrutiny Committee has agreed that consideration of this report is urgent and cannot be reasonably deferred until the next Cabinet meeting on 4 April 2023 to enable consideration of the matter at the earliest opportunity given that the next scheduled Cabinet meeting does not take place until after the deadline for submitting an appeal.
- 1.4 This report confirms the notice of intention to conduct this business in private.

Lead Officer Contact

Bhupinder Gill, Assistant Director - Legal and Governance
E-mail: bhupinder.gill@medway.gov.uk

Appendices

None

Background Papers

Forward Plan 7 March 2023 – Update No.2

NOT FOR PUBLICATION
By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 10.

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