

CABINET

22 NOVEMBER 2016

EXCLUSION OF PRESS AND PUBLIC

Portfolio Holder: Councillor Alan Jarrett, Leader

Report from/Author: Perry Holmes, Monitoring 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 this document.

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 the 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	Medway Crematorium and Cremators
Agenda Item	15
Summary	This exempt report will set out details of a proposal to agree a negotiated settlement with a contractor in respect of the enabling works at the Crematorium.
Category of exempt information (Schedule 12A of the Local Government Act 1972)	Not for publication under paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 <ul style="list-style-type: none">• Information relating to financial or business affairs of any particular person (including the authority holding that information).• Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

- 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 As such, on this occasion it was not possible to provide this 28 clear days' notice. The Chairman of the Regeneration, Culture and Environment Overview and Scrutiny Committee has agreed, in accordance with the provisions of the 2012 Regulations and Council Rule 17 (Access to Information Rules), that this matter was both urgent and could not be reasonably deferred until the next Cabinet meeting on 20 December 2016 because the contractor may withdraw from the proposed agreement which would have serious financial impact on the Council's plan to procure new equipment at the Crematorium.
- 1.4 Therefore, a notice of intention to conduct business in private was issued on 22 November 2016. No representations have been received.
- 1.5 This report confirms the notice of intention to conduct this business in private.

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Appendices: None

Background Papers: None