

## **CABINET**

**10 MAY 2022**

### **EXCLUSION OF THE PRESS AND PUBLIC**

Portfolio Holder: Councillor Alan Jarrett, Leader of the Council

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

Author: Jon Pitt, Democratic Services Officer

#### Summary

This report summarises the content of exempt documents, 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 documents because consideration of these matters 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.

<b>Report Title</b>	Gillingham Football Club
<b>Agenda Item</b>	9
<b>Summary</b>	This exempt report asks the Cabinet to make a decision on a matter relating to Gillingham Football Club.
<b>Category of exempt information (Schedule 12A of the Local Government Act 1972)</b>	Not for publication under paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 – Information relating to financial or business affairs of any particular person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.
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<b>Report Title</b>	Legal Claim Against Medway Council
<b>Agenda Item</b>	10
<b>Summary</b>	This exempt report sets out details in relation to a legal claim against Medway Council and asks the Cabinet to agree a course of action.
<b>Category of exempt information (Schedule 12A of the Local Government Act 1972)</b>	Not for publication under paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 – Information relating to financial or business affairs of any particular person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 On this occasion it has not been possible to provide this 28 clear days' notice. The Vice-Chairman of the Children and Young People Overview and Scrutiny Committee has agreed, in accordance with Section 5 (procedures prior to private meetings) of the above regulations, that these matters are both urgent and cannot be reasonably deferred until the next Cabinet meeting on 7 June 2022 for the following reasons:
- Agenda item 9 - the settlement was still in negotiations and agreement in principle was not reached until 22 April 2022 and is dependent on prompt conclusion.
  - Agenda item 10 - the Council recently received advice to make a payment on account to reduce the risks of further costs by way of interest.
- 1.4 Notices of intention to conduct business in private were originally issued on 29 April 2022. No representations have been received.
- 1.5 This report confirms the previous notice of intention to conduct this business in private.

#### Lead Officer Contact

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Appendices

None

Background Papers

[Forward Plan – Cabinet 10 May 2022 – Update No.2](#)