
EXCLUSION OF PUBLIC AND PRESS

To: **Council – 10 July 2014**

By: **Interim Legal Services Manager and Monitoring Officer**

Classification: **Unrestricted**

Summary: This report invites Council to consider whether or not to exclude the public and press for consideration of Agenda Item No 23, "Report on the Discharge of Council Functions (Following the Corporate Restructure)", in view of the first three Annexes to the report containing information that is considered exempt under Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended)

For Decision

1.0 Current Situation

1.1 Annexes 1 to 3 to the report relating to Agenda Item No. 23 contains information which the report author has identified as being exempt by virtue of Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended); that is, information which is likely to reveal the identity of an individual. For that reason, the first three annexes have not been made publicly available.

2.0 Options

2.1 The Council can decide:

2.1.1 not to exclude the press and public on the basis that it can fully consider the item without disclosing any exempt information;

2.1.2 to exclude the press and public on the basis that exempt information is likely to be disclosed;

2.1.3 not to exclude the press and public unless and until it becomes apparent during the debate that it will be necessary to disclose any exempt information.

3.0 Corporate Implication

3.1 Financial

3.1.1 There are no direct financial implications

3.2 Legal

3.2.1 As per Part 1 of Schedule 12A and Part VA of the Local Government Act 1972 (as amended) and the Council's Access to Information and Council Procedure Rules

3.3 Corporate

3.3.1 Thanet District Council will endeavour to keep the number of exempt reports or annexes it produces to a minimum in order to promote transparency

3.4 Equity and Equalities

3.4.1 There are no specific equity and equality considerations that need to be addressed in this report.

4.0 Recommendation

4.1 Council is invited to decide which of the following options to adopt:

4.1.1 THAT the press and public be not excluded on the basis that the item can be fully considered without disclosure exempt information as defined by Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended);

4.1.2 THAT the press and public be excluded on the basis that exempt information, as defined by Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed;

4.1.3 THAT the press and public be not excluded unless and until it becomes apparent during consideration of the item that exempt information, as defined by Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) is likely to be disclosed.

5.0 Decision Making Process

5.1 Whether or not to exclude the press is a decision of the Council.

Contact Officer:	Steven Boyle, Interim Legal Services Manager and Monitoring Officer, Ext.7906
Reporting to:	Paul Cook, Interim Director of Corporate Resources, Ext 7617

Corporate Consultation Undertaken

Finance	N/A
Legal	Steven Boyle – Interim Legal Services Manager & Monitoring Officer