

Public Document Pack



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27 August 2020

Dear Councillor

NOTICE OF INTENTION TO HOLD A CABINET MEETING (OR PARTS OF IT) IN PRIVATE

Please find attached notification that part of the Cabinet meeting to be held on 7 September 2020 will be held in private in order to consider a report on external repairs and decorations to Council homes.

Under Section 5 (6) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, it is permissible to hold parts of a Cabinet meeting in private, notwithstanding that 28 days' notice has not been given, provided the Chairman of the Overview and Scrutiny Committee has agreed that the decision to be taken is urgent and cannot reasonably be deferred. Councillor Charlotte Zosseder, Chairman of the Committee, has given her consent.

This notice, which sets out the reasons why the decision is urgent, is published in accordance with the regulations. Members of the public who require further information are asked to contact Kate Batty-Smith on 01304 872303 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

A handwritten signature in purple ink that reads "Kate Batty-Smith".

Democratic Services Officer

ENCL

1 **NOTICE OF INTENTION TO HOLD A CABINET MEETING (OR PARTS OF IT) IN PRIVATE** (Pages 2-3)



**DEMOCRATIC SUPPORT
SECTION ONLY**

Notice No: _____

Publication Date: 27/08/20

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

**Notice of Intention to Hold a Cabinet Meeting
(or parts of it) in Private**

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 came into force on 10 September 2012. These prescribe that 28 clear days' notice must be given by a decision-making body where it intends to hold the whole or part of a meeting in private because confidential or exempt information would otherwise be disclosed.

Under Section 5 (6) of the above-mentioned Regulations, it is permissible to hold a meeting (or parts of it) in private, notwithstanding that 28 days' notice has not been given, provided the Chairman of the relevant Scrutiny Committee has agreed that the meeting is urgent and cannot reasonably be deferred. The local authority is thereafter obliged to publish a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred.

A. Date of Cabinet meeting and agenda items:

7 September 2020

The press and public will be excluded from the meeting during consideration of the following exempt agenda item:

External Repairs and Decoration to Council Homes

(Exempt under paragraph 3 (Information relating to the financial or business affairs of any particular person [including the authority holding that information]) of Part 1 of Schedule 12A of the Local Government Act 1972.)

B: Reasons why the meeting is urgent and cannot reasonably be deferred:


The original intention was to let the contract for carrying out external repairs and decoration using powers that are delegated to the Strategic Director (Operations and Commercial) within the Council's Constitution. However, doubts started to emerge as to whether a budget had been specifically allocated for this work by East Kent Housing rather than its just being included in the wider EKH delivery plan. Officers therefore took the decision to err on the side of caution and to seek Cabinet approval rather than using the Strategic Director's delegated powers (which do not extend to approving projects lacking an allocated budget).

Deferring the decision would delay implementation until October at the earliest and the onset of more inclement weather. This is likely to lead to delays in progressing the pilot project in earnest until the spring.

C: Agreement to meeting (or parts of it) being held in private:

I agree that part of the Cabinet meeting to be held on 7 September 2020 should be held in private in order to consider the restricted report relating to the contract for external repairs and decoration to Council homes.

Signed:


(Councillor Charlotte Zosseder - Chairman of Overview and Scrutiny Committee)

Date: 27 August 2020