



**EXEMPT DECISION PLAN**

**Issued – 3 December 2015**

*Representations in respect of all the matters shown should be sent in writing, at least one week before the date or period the decision is likely to be made, to:*

*Shelley French, Democratic Services Support Officer, Council Offices, Priory Road, Spalding, Lincolnshire, PE11 2XE  
Telephone: 01775 764451 Fax: 01775 711253 Email: [memberservices@sholland.gov.uk](mailto:memberservices@sholland.gov.uk)*

**The Exempt Decision Plan shows all exempt decisions that the Cabinet, Portfolio Holders, or officers acting under a delegation from the Cabinet or a Portfolio Holder are likely to be make over the next **twelve** months. Such decisions are added to the plan as we become aware of them.**

**An exempt decision is a decision taken where information used in making the decision (such as a report) is not made public, and/or the public are excluded from a meeting of the Cabinet when the decision is made, due to the nature of the information (examples being information relating to an individual or legally privileged information)**

<b>PORTFOLIO HOLDER / SUBJECT</b>	<b>PURPOSE OF DECISION</b>	<b>CONSULTEES AND METHOD OF CONSULTATION</b>	<b>REASON FOR EXEMPTION</b>	<b>LIKELY DATE OF DECISION AND WHO WILL MAKE DECISION</b>
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<b>PORTFOLIO HOLDER / SUBJECT</b>	<b>PURPOSE OF DECISION</b>	<b>CONSULTEES AND METHOD OF CONSULTATION</b>	<b>REASON FOR EXEMPTION</b>	<b>LIKELY DATE OF DECISION AND WHO WILL MAKE DECISION</b>
Portfolio Holder for Place  The provision of Fleet Maintenance for Environmental Services	To provide long term financial benefits and flexibility	Portfolio Holder and Director  Meetings and discussions	Fully exempt -  3, 5	Portfolio Holder for Place  Between 1 Dec 2015 and 31 Dec 2015
Portfolio Holder for Strategic Finance and Strategic Planning  Write Offs	To recommend writing offs irrecoverable debts	Correspondence  Director and Portfolio Holder	Part exempt - Exempt Appendices  1,2 and 3	Cabinet  12 Jan 2016
Portfolio Holder for Strategic Finance and Strategic Planning  Write Offs	To recommend writing off irrecoverable debts	Portfolio Holder and Director  Correspondence	Part exempt - Exempt Appendices  1,2 and 3	Cabinet  16 Feb 2016

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Portfolio Holder for Strategic Finance and Strategic Planning  Write Offs	To recommend writing off irrecoverable debts	Portfolio Holder and Director  Correspondence	Part exempt - Exempt Appendices  1,2 and 3	Cabinet  22 Mar 2016

### Meaning of exempt information

Exempt information means information falling within the following categories 1 to 7C as described in Part I of Schedule 12A of the Local Government Act 1972 (as amended where appropriate by the Relevant Authorities (Standards Committee) Regulations 2001) (subject to the qualifications set out below).

<b>Category</b>	<b>Qualification</b>
1. Information relating to any individual	Information is exempt if and so long as in all the circumstances of the case the public interest* in maintaining the exemption outweighs the public interest in disclosing the information.  Information is not exempt if it relates to proposed development for which the Council being the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992
2. Information which is likely to reveal the identity of an individual	Information is exempt if and so long as in all the circumstances of the case the public interest* in maintaining the exemption outweighs the public interest in disclosing the information.  Information is not exempt if it relates to proposed development for which the Council being the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town

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	and Country Planning General Regulations 1992			
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)	<p>Information is exempt if and so long as in all the circumstances of the case the public interest* in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>Information is not exempt if it relates to proposed development for which the Council being the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, or if it is required to be registered under-</p> <ul style="list-style-type: none"> <li>(a) the Companies Act 1985;</li> <li>(b) the Friendly Societies Act 1974;</li> <li>(c) the Friendly Societies Act 1992;</li> <li>(d) the Industrial and Provident Societies Acts 1965 to 1978;</li> <li>(e) the Building Societies Act 1986; or</li> <li>(f) the Charities Act 1993.</li> </ul>			
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office holders under, the	<p>Information is exempt if and so long as in all the circumstances of the case the public interest* in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>Information is not exempt if it relates to proposed development for which the Council being the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992</p>			

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Category	Qualification
authority	
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings	<p>Information is exempt if and so long as in all the circumstances of the case the public interest* in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>Information is not exempt if it relates to proposed development for which the Council being the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992</p>
6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment	<p>Information is exempt if and so long as in all the circumstances of the case the public interest* in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>Information is not exempt if it relates to proposed development for which the Council being the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992</p>
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	<p>Information is exempt if and so long as in all the circumstances of the case the public interest* in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>Information is not exempt if it relates to proposed development for which the Council being the local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992</p>

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**\*Cabinet Membership**

The Lord Porter of Spalding CBE (Leader)  
 Councillor C N Worth (Deputy Leader of the Council)  
 Councillor M G Chandler (Deputy Leader)  
 Councillor A Casson (Portfolio Holder)  
 Councillor R Gambba-Jones (Portfolio Holder)  
 Councillor C J Lawton (Portfolio Holder)  
 Councillor S Slade (Portfolio Holder)  
 Councillor G J Taylor (Portfolio Holder)