



**EXEMPT DECISION PLAN**

**Issued – 28 July 2017**

*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:*

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

**The Exempt Decision Plan shows all exempt decisions that the Cabinet is likely to 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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PORTFOLIO HOLDER / SUBJECT	PURPOSE OF DECISION	CONSULTEES AND METHOD OF CONSULTATION	REASON FOR EXEMPTION	LIKELY DATE OF DECISION AND WHO WILL MAKE DECISION
<p>Councillor Roger Gamba-Jones  <a href="mailto:RGamba-Jones@sholland.gov.uk">RGamba-Jones@sholland.gov.uk</a></p> <p>Insourcing of clearance and maintenance services - TUPE transfer</p>	<p>To seek approval for the insourcing of work areas and transfer of staff to the Council's Environmental Services team</p>	<p>South Holland Maintenance</p>	<p><b>Fully exempt</b></p> <p><b>1, 2, 3</b>  <b>Information relating to any individual. Information which is likely to reveal the identity of an individual. Information relating to the financial or business affairs of any particular person (including the authority holding that information)</b></p>	<p>Cabinet 19 Sep 2017</p>

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Portfolio Holder for Finance  Debt Management and Write Off Operational Policy	To update Cabinet on the development of an operational debt recovery process document, detailing processes for identification and recovery of debt owed to the Authority	SHDC Finance Consultant, Executive Director - Commercialisation, Finance Portfolio Holder  Document and discussion	<b>Part exempt</b>	Cabinet 25 Jul 2017

### 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

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	local planning authority may grant itself planning permission pursuant to Regulation 3 of the Town 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	<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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holders under, the 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	<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</p>			

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prosecution of crime	and Country Planning General Regulations 1992			

<b>*Cabinet Membership</b>
<p>Councillor 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 P E Coupland (Portfolio Holder)  Councillor R Gambba-Jones (Portfolio Holder)  Councillor C Johnson (Portfolio Holder)  Councillor C J Lawton (Portfolio Holder)  Councillor S Slade (Portfolio Holder)  Councillor G J Taylor (Portfolio Holder)</p>