

SCRUTINY BOARD (CITY DEVELOPMENT)

Call-In Meeting to be held in Civic Hall on
Tuesday, 1st July, 2008 at 10.00 am

MEMBERSHIP

Councillors

R Pryke (Chair)	-	Burmantofts and Richmond Hill
C Beverley	-	Morley South
B Gettings	-	Morley North
R Harington	-	Gipton and Harehills
A Hussain	-	Gipton and Harehills
J Jarosz	-	Pudsey
M Lobley	-	Roundhay
R Procter	-	Harewood
N Taggart	-	Bramley and Stanningley
G Wilkinson	-	Wetherby
A Barker	-	Horsforth
J Matthews	-	Headingley
A Ogilvie	-	Beeston and Holbeck

Please note: Certain or all items on this agenda may be recorded on tape

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CONFIDENTIAL AND EXEMPT ITEMS

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

9.0 Confidential information – requirement to exclude public access

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

9.2 Confidential information means

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

10.0 Exempt information – discretion to exclude public access

10. 1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10. 4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 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
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Chief Democratic Services Officer at least 24 hours before the meeting)</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p> <p>Appendices E, F and G of the report of the Director of City Development to the Executive Board on 11th June 2008 – Item 7 refers.</p>	
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstance shall be specified in the minutes.)</p>	

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4			DECLARATION OF INTERESTS To declare any personal/prejudicial interests for the purpose of Section 81(3) of the Local Government Act 2000 and paragraphs 8 to 12 of the Members' Code of Conduct.	
5			APOLOGIES FOR ABSENCE	
6			CALL-IN OF A DECISION - BRIEFING PAPER To receive and consider the attached report of the Head of Scrutiny and Member Development.	1 - 4
7		10.4(3) (Appendices E, F and G only)	REVIEW OF DECISION - THE FUTURE OWNERSHIP AND MANAGEMENT OF THE COUNCIL'S SMALL INDUSTRIAL UNIT PORTFOLIO, ST ANN'S MILLS/ABBAY MILLS, KIRKSTALL AND THE INVESTMENT AND AGRICULTURAL PROPERTY PORTFOLIOS In accordance with the Scrutiny Procedure Rules concerning Call-In, to review the attached decision (Minute No. 24) of the Executive Board at its meeting on 11 th June 2008. Appendices E, F and G of the report of the Director of City Development to the Executive Board are designated as exempt under Access to Information Procedure Rule 10.4(3).	5 - 54
8			OUTCOME OF CALL-IN In accordance with the Scrutiny Procedure Rules, to consider the Board's formal conclusions and recommendation(s) arising from consideration of the Called-In decision.	