

22 February 2018

Memo to: Mayor and Councillors

Memo from: Governance Advisers

Subject: COUNCIL – 22 FEBRUARY 2018 – LATE ITEM

2. Late Item: Request for Refund of Financial Contributions for Stormwater

Document R8919

A public excluded report titled Request for Refund of Financial Contributions for Stormwater is to be considered as a major late item at this meeting. This report was listed as item 3.2.1 on the public agenda for the Council meeting on 22 February 2018 to ensure elected members were aware that it would be presented to this meeting.

Section 46A(1)-(6) of the Local Government Official Information and Meetings Act 1987 and Standing Order 9.8 require that agendas are distributed with the associated reports. As this report was not distributed with the agenda for this meeting, it must be treated as a major late item to be considered at this meeting.

In accordance with section 46A(7) of the Local Government Official Information and Meetings Act 1987 and Standing Order 9.12, a procedural resolution is required before a major item that is not on the agenda for the meeting may be dealt with.

In accordance with section 46A(7)(b)(i) the reason why the item was not on the agenda is because it came to hand after the agenda had been distributed.

In accordance with section 46A(7)(b)(ii) the reason why discussion of this item cannot be delayed until a subsequent meeting is because a resolution on the matter is required before the next scheduled meeting of the Council to enable a timely decision to be made.

Recommendation

That the Council

Considers the public excluded item regarding Request for Refund of Financial Contributions for Stormwater at this meeting as a major item not on the agenda, pursuant to Section 46A(7)(a) of the Local Government Official Information and Meetings Act 1987, because it came to hand after the agenda was distributed and a resolution on the matter is required before the next scheduled meeting.

PUBLIC EXCLUDED BUSINESS

1. Exclusion of the Public

Recommendation

That the Council

Confirms, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Matt Conway remain after the public has been excluded, for Item 2 of the Public Excluded agenda Request for Refund of Financial Contributions for Stormwater, as he has knowledge that will assist the Council;

Notes, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Matt Conway possesses relates to legal advice.

Recommendation

That the Council

Excludes the public from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Request for Refund of Financial Contributions for Stormwater	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person