

The Mayor

Group Leaders

13<sup>th</sup> November 2006

Dear Councillor

**URGENT BUSINESS – REMOVAL OF EXEMPT STATUS IMPOSED ON REPORTS TO COUNCIL**

I have been asked to consider agreeing to the removal of exempt status on the following reports which it was formerly resolved should be treated as exempt and therefore not made publicly available in accordance with Access to Information legislation:

- Report to Council on 17<sup>th</sup> December 2003 – Pension of Former Town Clerk, Mr William Pearson (also submitted to the Town Clerk Pensions Committee)
- Exempt Minute 6 of the Town Clerk Pensions Committee – 25<sup>th</sup> February 2004.

A request has been received for a copy of these documents (amongst other related material) under Freedom of Information legislation.

At the time the reports and minute were treated as exempt by virtue of the fact that they contained some financial and personal information and included legal advice which if made publicly available may have affected the Council's position. However on examining the content of the documents there is now no good reason for the reports to continue to be treated as exempt from publication, indeed they do not meet the criteria for being treated as exempt under the Freedom of Information Act, provided that the small amount of personal data is removed to comply with Data Protection legislation. A copy of the reports and minute are attached for information.

Where a report has been declared exempt from publication the lifting of this exemption can only be done by the body that passed the original resolution (or if necessary its parent body). In this case full Council is required to make this decision.

However in order to comply with the time limits set by the Freedom of Information Act it is impracticable to defer this decision to the next meeting of full Council and I am therefore writing to you in accordance with Access to Information Procedure Rule 15 to inform you that I intend to take this decision.

I would be grateful if you could complete the attached slip, signifying whether you are in agreement with the recommendation or not, and return it to the Town Hall as soon as possible. In the meantime, could you please telephone Sharon Marsh on 582096, or e-mail SMarsh@lancaster.gov.uk, with your decision.

Yours sincerely,

**CHIEF EXECUTIVE**  
**Enc.**

**URGENT BUSINESS – REMOVAL OF EXEMPT STATUS IMPOSED ON REPORTS TO COUNCIL**

Councillor Consultation

\*I am/~~am not~~ (**\*please delete as appropriate**) in agreement with the recommendation:

That the exempt status of the following reports and minute be lifted to enable the documents to be made available to the public:

- Report to Council on 17<sup>th</sup> December 2003 – Pension of Former Town Clerk, Mr William Pearson (also submitted to the Town Clerk Pensions Committee)
- Exempt Minute 6 of the Town Clerk Pensions Committee – 25<sup>th</sup> February 2004.

Signed: Ian Barker  
Roger Mace  
Stuart Langhorn  
Chris Coates  
Janie Kirkman  
Evelyn Archer

Name: Councillors Ian Barker, Roger Mace, Stuart Langhorn, Chris Coates, Janie Kirkman and Evelyn Archer. -----

Position Held: Leaders of Political Parties and The Mayor -----

Dated: 16.11.2006 -----

Chief Executive Decision

\*I agree/~~do not agree~~ (**\*please delete as appropriate**) to exercise my delegated authority and give approval:

That the exempt status of the following reports and minute be lifted to enable the documents to be made available to the public:

- Report to Council on 17<sup>th</sup> December 2003 – Pension of Former Town Clerk, Mr William Pearson (also submitted to the Town Clerk Pensions Committee)
- Exempt Minute 6 of the Town Clerk Pensions Committee – 25<sup>th</sup> February 2004.

Signed: Mark Cullinan-----  
Chief Executive

Dated: 16.11.2006 -----

Please return to: Sharon Marsh,  
Democratic Services,  
Town Hall,  
Dalton Square,  
LANCASTER. LA1 1PJ

Ref: UB41