



POLICY AND RESOURCES COMMITTEE - 24TH JULY 2013

PUBLIC INTEREST TEST - EXEMPTION FROM DISCLOSURE OF DOCUMENTS SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

SUBJECT: PLAZA CAFE

REPORT BY: ACTING DIRECTOR CORPORATE SERVICES AND SECTION 151

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

EXEMPTIONS APPLYING TO THE REPORT:

Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Paragraph 14)

FACTORS IN FAVOUR OF DISCLOSURE:

That there is a legitimate public interest in matters relating to the leasing of property owned by the Council.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains sensitive financial information relating to a third party and placing the information in a public report would damage that person's commercial interests.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

That paragraph 14 should apply. I am mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, but the right of a third party to the privacy of their financial/business affairs, and the likelihood of damage to that person's commercial interests, outweighs the need for that information to be made public

This information is not affected by any other statutory provision requiring the information to be publicly registered.

On that basis I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when determining the public interest test, which they must decide when considering excluding the public from this part of the meeting

Recommended decision on exemption from disclosure:

That the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the report should be exempt.

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:

On the basis set out above I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, and that the report should be exempt.

Signed: 

Dated: 11th July 2013

Post: **Principal Solicitor**

I accept the recommendation above.

Signed: 
Proper Officer

Date: 11/07/13