



CABINET – 16TH MARCH, 2016

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

SUBJECT: WRITE-OFF OF DEBTS OVER £20,000 – NNDR ARREARS FOR LTD COMPANIES

REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER

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

EXEMPTIONS APPLYING TO THE REPORT:

Legal advice (paragraph 16). 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:

There is a public interest in the way in which the Council recovers monies owed.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The Report includes legal advice in relation to the recovery of arrears of NNDR. The report also contains detailed information about the financial affairs of third parties and disclosure of such information could breach their right to privacy of their financial business affairs.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

In relation to paragraph 16, the exemption is absolute and there is no right to require the information is made public.

That paragraph 14 should apply. I am mindful of the need to ensure the transparency and accountability of public authorities for decisions taken by them in relation to the recovery of monies owed. However disclosure of the information contained in the report about the financial affairs of third parties could breach their right to privacy in relation to their financial//business affairs.

The information is not affected by any other statutory provision which requires the information to be publicly registered.

On that basis as set out above I feel that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider these factors 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:


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: 8th March, 2016

Post: **Interim Head of Legal Services/Monitoring Officer**

I accept/~~do not accept~~ the recommendation made above.

Signed: 
Proper Officer

Date: 8/3/16