



## **CABINET – 18<sup>TH</sup> OCTOBER, 2023**

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

**SUBJECT:           NESS TAR AND FORMER WERNDDU BRICKWORKS SITES,  
CAERPHILLY - DELIVERY OPTIONS REPORT**

**REPORT BY:       HEAD OF LEGAL SERVICES AND MONITORING OFFICER**

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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:**

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

#### **FACTORS IN FAVOUR OF DISCLOSURE:**

There is public interest in the way that a council makes decisions on the redevelopment of brownfield sites in the county borough.

#### **PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:**

The report contains details of confidential information relating to the financial or business affairs of the parties involved and the various options available to the council. As a final option has not been agreed, negotiations between the parties have yet to be concluded.

#### **MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:**

My view on the Public Interest Test is that whilst there is a need to ensure transparency and accountability of the council in its involvement with the development of this brownfield site, this must be balanced against the fact that the report contains confidential financial and business information relating to the parties involved. Negotiations between the parties have yet to be concluded depending on the option chosen within the report. It is considered that these factors outweigh the need for the information to be made public at this stage.

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 these factors when determining the public interest test, which they must decide when considering whether to exclude the press and public from this part of the meeting.

**RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:**

On that basis 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:** 3.10.23

**Post:** **Head of Legal Services and Monitoring Officer**

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I accept the recommendation made above.



**Signed:**

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**Proper Officer**

**Date:** 04/10/23