



CABINET – 16TH OCTOBER 2012

PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS PART 4, SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

SUBJECT: REVIEW OF LEASING ARRANGEMENTS - PLAZA CAFE

REPORT BY: DEPUTY CHIEF EXECUTIVE

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:

Information relating to a particular individual (paragraph 12). 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 enters into contractual arrangements and manages its financial affairs.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains detailed information about the financial affairs of individuals, disclosure of such information would be in contravention of the principles of the Data Protection Act 1998. It also contains detailed information about the current consultations and negotiations regarding future arrangements, revealing this information at this stage has the potential to prejudice the Council's long term proposals.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

That paragraphs 12 and 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 to them. However disclosure of the information contained in the report would be in contravention of the Data Protection Act 1998 and could potentially prejudice the Council's long term proposals.

The information is not affected by any other statutory provision, which requires 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 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: 24 September 2012

Post: **Head of Legal & Governance/Monitoring Officer**

I accept the recommendation made above.

Signed:



Proper Officer

Date:

8.10.12