



CABINET – 2ND OCTOBER 2013

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

SUBJECT: LAND AT MILL ROAD & LEWIS DRIVE, CAERPHILLY

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES

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 the financial or business affairs of any particular person (including the Authority holding that information) to any terms of proposed or to be proposed by or to the Authority in the course of negotiations for contracts for the acquisition of or disposal of property or the supply of goods or services (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 current consultations and negotiations regarding proposed sale of land at this location and detailed information regarding the background to the proposals. Revealing this information at this stage has the potential to prejudice the successful outcome of the negotiations and the Council's longer term proposals.

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 authorities for decisions taken. However disclosure of the information contained in the report at this stage could potentially prejudice the successful outcome of the negotiations and the Council's longer 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: 23 September, 2013

Post: **Interim Monitoring Officer/Principal Solicitor**

I accept the recommendation made above.

Signed: 
Proper Officer

Date: 24 September 2013