



## CABINET – 27TH NOVEMBER 2013

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

**SUBJECT: ISSUES REGARDING POTENTIAL FISH LOSS AT PARC CWM DARRAN**

**REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE**

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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:**

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

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

There is a public interest in the way in which the Council manages its leisure facilities and in the granting and management of fishing rights.

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

The report contains information regarding settlement of a claim by the Rhymney Angling Society and in relation to works undertaken on the Council's land. The report contains information relating to the financial and business affairs of the Society and the Council and contains details of a proposed settlement, which has not yet been concluded.

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

That paragraph 14 should apply. My view on the Public Interest Test is that whilst there is a need to ensure transparency and accountability of a Public Authority for decisions taken in relation to the management of its leisure facilities and in the granting and management of fishing rights, this must be balanced against the fact that the settlement with Rhymney angling Society has not yet been concluded and that a third party's right to privacy for their financial business affairs needs to be considered.

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 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:**

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.

**Date:** 18<sup>th</sup> November 2013

**Signed:**  **John Rogers**

**Post:** Principal Solicitor

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I accept/do not accept recommendation made above.

**Signed:**

  
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**Proper Officer**

**Date:**

19/11/2013