



CABINET – 11TH DECEMBER 2013

PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS SCHEDULE 12A LOCAL GOVERNMENT ACT 1972 PARAGRAPH 14

SUBJECT: SALE OF OUTSTANDING LANDSBANKI CLAIM

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES & S.151 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:

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 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 the proposals in relation to the sale of the outstanding Landsbanki claim, and details and information regarding the background to this matter. Revealing this information at this stage has the potential to prejudice the successful outcome of the proposals to settle this claim.

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 proposals to settle this claim.

This 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: 3rd December 2013

Post: **Head of Legal & Democratic Services**

I accept/do not accept the recommendation made above.

Signed: 

Proper Officer

Date: 4/12/2013