



**POLICY AND RESOURCES SCRUTINY COMMITTEE –
20TH JANUARY 2009**

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

SUBJECT: FAMILY SUPPORT SERVICE TENDER

REPORT BY: DIRECTOR OF SOCIAL SERVICES & HEAD OF PROCUREMENT

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 financial business affairs in particular person (including the Authority holding that information) to any terms proposed or to be proposed by or to the Authority in the course of negotiations for contract 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 that the Council intends to carry out this provision.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The matter has not yet gone out to tender, and to disclose this information at this stage, could subsequently lead to some potential service providers having an unfair advantage.

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, this must be balanced against the fact that this matter has not yet gone out to contract and at this stage the financial and business affairs of the Council outweighs the need for the information to be made public.

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 does outweigh 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 does outweigh the public interest in disclosing the information and that the report should be exempt.

Date: 14th January 2009

Signed: D.G. Richards

Post: Principal Solicitor

I accept the recommendation made above.



Signed: _____
Proper Officer

Date: _____