

**PROSIECT GWYRDD JOINT SCRUTINY PANEL -  
7<sup>TH</sup> OCTOBER 2011**

**PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS**

**SUBJECT: PRESENTATION: SHORTLISTING PROCESS LEADING TO THE  
FINAL 3 BIDDERS**

**REPORT BY: PROSIECT GWYRDD SCRUTINY OFFICERS**

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I have considered grounds for exemption of information contained in the presentation 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 proposed or to be proposed by or to the Authority in the course of negotiations (Paragraph 14).

**FACTORS IN FAVOUR OF DISCLOSURE:**

That there is a legitimate public interest in having full disclosure with regard to the way in which the five partner authorities scrutinise the project.

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

The presentation will refer to project specific commercially sensitive bid information and associated risks. This information is commercial in confidence and subject to an ongoing high value and strategic procurement governed by public procurement regulations. The Project Gwyrdd partner authorities have a duty to ensure bidders commercially sensitive information remains confidential during the procurement process.

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

Due to the fact that the presentation will contain reference to current commercially sensitive information and ongoing negotiations with the 3 bidders, in my opinion the public interest is in favour of maintaining an exemption regarding the content of this presentation.

**RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:**

This presentation should be presented on an exempt basis by virtue of the commercially sensitive information to be discussed.

**Signed:**

**Dated: 26 September 2011**

**Post:**



**Head of Legal Services**

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I accept the recommendation made above.

Signed:

  
Proper Officer

Date:

26.9.11

PUBLIC INTEREST TEST - EXEMPTION FROM DISCLOSURE OF DOCUMENTS

SUBJECT: PRESENTATION: SHORTLISTING PROCESS LEADING TO THE

FINAL 3 BIDDERS

REPORT BY: PROJECT GWYND SCOUTING OFFICERS

The following information is contained in the presentation referred to above and needs the following recommendation to the Proper Officer:

EXEMPTIONS APPLYING TO THE REPORT:

The information in the financial statement is of a confidential nature and its disclosure would be likely to cause significant harm to the financial interests of the Council. The information is also of a confidential nature and its disclosure would be likely to cause significant harm to the financial interests of the Council.

FACTORS IN FAVOUR OF DISCLOSURE

There is a significant public interest in having full disclosure with regard to the way in which the information was obtained and the way in which the information was used.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED

The presentation will contain specific confidential information and disclosure of this information would be likely to cause significant harm to the financial interests of the Council. The information is also of a confidential nature and its disclosure would be likely to cause significant harm to the financial interests of the Council.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

Due to the fact that the information will contain information of a confidential nature and its disclosure would be likely to cause significant harm to the financial interests of the Council, I recommend that the information should be exempt from disclosure.

RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE

The information should be exempt from disclosure on the grounds that its disclosure would be likely to cause significant harm to the financial interests of the Council.

Dated: 26 September 2011

Head of Legal Services

Signed:



For: