



## **CABINET – 14<sup>TH</sup> MARCH, 2018**

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

**SUBJECT: DISPOSAL OF LAND AT PARK LANE, CAERPHILLY**

**REPORT BY: PRINCIPAL SOLICITOR**

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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) 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 property and details and information regarding the background to the proposals. It also contains information regarding the business affairs of a third party. Revealing this information at this stage has the potential to prejudice the successful outcome of the project and the Council's longer term proposals, should this particular proposal fail to be concluded.

#### **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 project and the Council's longer term proposals should this particular proposal fail to be concluded. It also contains information regarding the business affairs of a third party.

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: PKhare Dated: 7<sup>th</sup> March 2018

Post: **Principal Solicitor**

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I accept/do not the recommendation made above.

Signed: D.m. Stent  
Proper Officer

Date: 7/3/18