



COUNCIL - 4TH OCTOBER 2022

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

SUBJECT: WITHDRAWAL FROM TY PONTYGWINDY (UNIT 7 DE CLARE COURT
PONTYGWINDY INDUSTRIAL ESTATE)

REPORT BY: HEAD OF LEGAL SERVICES AND MONITORING 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:

Paragraph 14 – Information relating to the financial or business affairs of any particular person; and paragraph 16 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

FACTORS IN FAVOUR OF DISCLOSURE:

There is a public interest in the way in the council manages its property portfolio.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report contains details in relation to the financial information of the council and the landlord and information which is legally privileged.

MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:

My view on the Public Interest Test is that whilst there is a need to ensure transparency and accountability of a public authority for in its management of its property portfolio, this must be balanced against the fact that the report contains financial information relating to a third party and information which is legally privileged. It is considered that these factors outweigh the need for the information to be made public.

The information is not affected by any other statutory provision which request 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.

Signed:

Dated: 14 September 22

Post: Head of Legal Services and Monitoring Officer

I accept the recommendation made above.

Signed:

Proper Officer

Date: 14th September 2022