

Access to Information Arrangements

Exclusion of access by the public to Council meetings

Information Compliance Ref: LGA-0920-14

Meeting / Decision: Cabinet

Date: 11 June 2014

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Report Title: Funding Approval for Indicative Affordable Housing Programme

Exempt Appendix 1: List of Indicative Schemes

The Report contains exempt information, according to the categories set out in the Local Government Act 1972 (amended Schedule 12A). The relevant exemption is set out below.

Stating the exemption:

- 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).*

The public interest test has been applied, and it is concluded that the public interest in maintaining the exemption outweighs the public interest in disclosure at this time. It is therefore recommended that the Report be withheld from publication on the Council website. The paragraphs below set out the relevant public interest issues in this case.

PUBLIC INTEREST TEST

If the Committee wishes to consider a matter with press and public excluded, it must be satisfied on two matters.

Firstly, it must be satisfied that the information likely to be disclosed falls within one of the accepted categories of exempt information under the Local Government Act 1972. Paragraph 3 of the revised Schedule 12A of the 1972 Act exempts information which relates to the financial or business affairs of the organisations which is commercially sensitive to the organisations. The officer responsible for this item believes that this information falls within the

exemption under paragraph 3 and this has been confirmed by the Council's Information Compliance Manager.

Secondly, it is necessary to weigh up the arguments for and against disclosure on public interest grounds. The main factor in favour of disclosure is that all possible Council information should be public and that increased openness about Council business allows the public and others affected by any decision the opportunity to participate in debates on important issues in their local area. Another factor in favour of disclosure is that the public and those affected by decisions should be entitled to see the basis on which decisions are reached.

Weighed against this is the fact that the exempt appendix contains the options available to the Council. Not all of the options may be pursued. It would not be in the public interest if advisors and officers could not discuss options available to the Council and express in confidence opinions which are held in good faith and on the basis of the best information available.

The exempt appendix also contains details of financial implications of the various options on both the Council and on third parties. The information to be discussed is commercially sensitive and if disclosed at this stage could prejudice the commercial interests of the third parties and the Council.

It is also important that the Committee should be able to retain some degree of private thinking space while decisions are being made, in order to discuss openly and frankly the issues under discussion relating to the investment managers in order to make a decision which is in the best interests of the Council and its residents.

The Council considers that the public interest has been served by the fact that a significant amount of information regarding the Affordable Housing Programme has been made available – by way of the main report. Further information on approved proposals will be put into the public domain at a later date, when its release will not prejudice the commercial interests of the parties.