

## Access to Information Arrangements

### Exclusion of access by the public to Council meetings

Information Compliance Ref: LGA-11-006
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Meeting: Bath Recreation Trust Board
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Date: 13 April 2011
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Report / Appendix Title/s: <b>Position in Respect of the Leisure Centre</b>
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*Indicate which of the following categories the report / appendix falls in to.*

1. The report / appendix constitute confidential information, and the meeting must therefore resolve to exclude the public.

Confidential information is defined as:

- I. Information furnished to the council by a Government department upon terms which forbid the disclosure of the information to the public;
- II. Information the disclosure of which to the public is prohibited by or under any enactment or by the order of a court.

2. The report / appendix constitutes 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:
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<input checked="" type="checkbox"/> 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
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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 meeting resolve to exclude the public. The paragraphs below sets out the relevant public interest issues in this case.

Factors for withholding:

- Discussion of the issues referred to in the report will reveal commercially sensitive information about negotiations in relation to the activities carried out on the recreation ground. The Trust Board's ability to fully consider these issues prior to consultation with the public would be hindered by access to these deliberations at this stage.

Factors for disclosure:

- There is a high level of public interest in proposals for the Bath Recreation ground which is held in trust for the benefit of the people of Bath.

Reasons why the public interest favours disclosure:

- The public will be informed about any action the Board decides to take in relation to this report by way of a consultation exercise. Exposure to public scrutiny at this stage may hinder negotiations and limit the actions which the Board may be able to take to meet the objects of the charitable trust. Organisations should be allowed breathing space to negotiate and establish what options are available before opening their deliberations up to public scrutiny.