

**Access to Information Arrangements  
Exclusion of access by the public to Council meetings**

Information Compliance Ref: LGA/11/009

Meeting: Housing & Major Projects Panel

Date: July 2011

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Exempt Appendix Titles:

- Appendix A – Risk Overview
- Appendix B – Project Initiation

The appendices contain 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 exemptions outweighs the public interest in disclosure at this time. It is therefore recommended that the Panel resolve to exclude the public, should they wish to discuss the appendices to the report. The paragraphs below set out the relevant public interest issues in this case.

Factors for withholding:

Appendix A – contains information on financial and contractual risks which if disclosed, would identify weaknesses in the Council's position which could be exploited to our commercial disadvantage by third parties.

Appendix B – contains information on new business cases in their very early stages, which have not received full approval to proceed. The Council is required to decide whether these projects are to proceed before they become open to public scrutiny. It is in the public interest for the Council to have some internal thinking space.

Factors for disclosure:

Disclosure would:

- Further public understanding of the issues concerned.
- Promote accountability and transparency by the Council for the decisions it takes.
- Allow individuals and companies to understand decisions made by the Council affecting their lives and assist individuals to challenge those decisions.
- Promote accountability and transparency in the spending of public money.
- Further public participation in the public debate of issues.

Reasons why the public interest favours withholding:

The Council considers that the public interest has been served by the fact that a significant amount of information has been made available on these issues – by way of the main report.

There is strong public interest in the Council delivering cost effective services to its customers. Release of this information would prejudice this function, as outlined above, and is therefore not in the public interest.

The Appendices refer to unresolved issues about which the Council hasn't yet formed a final view - there is an important public interest in the Council being able to consider these issues in private.

It is in the public interest that the Council is able to deliver cost-effective solutions in relation to significant local issues. This depends partly on the Council being able to protect its commercial position while the detailed terms of relevant schemes are agreed.

It is important for public authorities to have some measure of 'private thinking space', and that they are able to share important information with Elected Members tasked with representing the local community.