

**PUBLIC INTEREST TEST - CHECKLIST**  
**Schedule 12A Local Government Act 1972**

**Name of Report:**  
**5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Floors, New Bailey -**  
**Rent Review**

**Committee Property and Regeneration**  
**Briefing**  
**Date 12<sup>th</sup> September 2022**

**Category of exemption applied:**

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

The report contains commercially sensitive information that would prejudice the interests of the Council and the party taking the lease if the information were to be disclosed at this time.

**Public Interest Test Questionnaire**

This is not a definitive list. However, it does provide a series of questions that you should ask yourself when recommending confidentiality.

<b>FACTORS WHICH SUPPORT DISCLOSING INFORMATION</b>	
<b>Will disclosure help people to understand and participate in public debate about current issues?</b>	No
Will disclosure help people to understand why the Council has taken certain decisions?	Yes
<b>Will disclosure give the public information about the personal probity (or otherwise) of elected members or council staff?</b>	No
Will disclosure encourage greater competition and better value for money for council taxpayers?	No
<b>Will disclosure allow individuals and companies to understand decisions made by the Council that have affected their lives?</b>	No
Is the information about factors that affect public health and public safety? (NB you should be careful if considering the release of information which might adversely affect public health and safety)	No
<b>Will disclosure reveal incompetent, illegal or unethical decision-making or examples of malpractice?</b>	No

Will disclosure reveal that such maladministration has not in fact occurred?	No
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FACTORS WHICH SUPPORT WITHHOLDING INFORMATION	
<b>Will disclosure damage the Council's interests without giving the public any useful information?</b>	Yes
Will disclosure damage another organisation or person's interests, without giving the public any useful information?	Yes
<b>Will disclosure give an unfair, prejudicial or inaccurate view of a situation?</b>	No
Will disclosure prevent the effective delivery of services without giving the public useful information?	No
<b>Will disclosure put the health and safety of any group or individuals at risk?</b>	No
Is there a clear and coherent reason why the community in general would benefit more from information being withheld?	Yes

<b>Justification of decision</b>
<p>The decision relates to a commercial letting in a council owned building.</p> <p>The terms are commercially sensitive, and disclosure could prejudice both the Council and the party taking the lease.</p> <p>In addition, the party taking the lease have requested that the Council do not disclose their identity until legal matters are concluded.</p> <p>A summary of the information contained in the Part 2 report has been provided in the associated Part 1 report to ensure transparency on the decision being taken as far as is possible.</p>

Other documents available: Public Briefing report submitted to the  
Property/Regeneration Briefing on 12 September 2022

Name and Title: Stephanie Mullenger, Strategic Asset Consultant

Date: 31 August 2022