

East Lothian Council

FOI Ref: 2018/571291

I would like to request under the Freedom of Information Act copies of the below reports which were presented in private to the Musselburgh Racing Associated Committee at its meeting in Haddington Town House on Tuesday, December 18, 2018.

1/ Commercial and Operations Report

2/ General Manager's Report

3/ Finance - quarter 1-3 - review 2018/19

4/ Budget Report 2019/20

Although East Lothian Council (ELC) holds this information, it is exempt from release under Section 26(a) of the Freedom of Information (Scotland) Act 2002:

Section 26 - Prohibitions on disclosure

Information is exempt information if its disclosure by a Scottish public authority (otherwise than under this Act) -

(a) is prohibited by or under an enactment;

In this instance, the information is exempt from public access by virtue of Schedule 7A of the Local Government (Scotland) Act 1973. Schedule 7A of this Act lists information that is exempt from publication and public access. As per the Musselburgh Racing Associated Committee agenda, these matters were addressed in private as per paragraph 6 of Schedule 7A to the Local Government (Scotland) Act 1973:

6. Information relating to the financial or business affairs of any particular person (other than the authority).

Section 26 of the Freedom of Information (Scotland) Act 2002 is an absolute exemption and therefore there is no requirement for ELC to apply the public interest test.