

7 September 2011

Our Ref No: LEX10452

Joshua Grainger

BY EMAIL: requests@fyi.org.nz

Dear Sir

**REQUEST FOR INFORMATION – CONFLICT OF INTEREST OF MEMBERS OF COUNCIL
IN THE APPOINTMENT OF THE CEO**

I refer to your e-mail dated 9 August 2011 in relation to the above.

Your request has been referred to me for response and has been dealt with under the terms of the Local Government Official Information and Meetings Act 1987 ("the Act").

As you will be aware, the information you have sought is part of an ongoing employment process by which the Christchurch City Council has not yet been completed.

I advise that the information you have requested is withheld for the following reasons:

- 1) Under Section 7(2)(f)(i) of the Act in that it is necessary at this time to withhold the information to maintain the effective conduct of public affairs through the free and frank expression of opinions between the elected members in the course of their duty.
- 2) The Council has received legal opinions in relation to this matter. This information is withheld under section 7(2)(g) of the Act on the basis that withholding the information is necessary to maintain legal professional privilege.

In deciding to withhold information under sections 7(2)(f)(i) and 7(2)(g) of the Act, the Council is required to consider whether there are any public interest considerations which outweigh the need to withhold the information requested. The Council does not consider that there are any public interest considerations which outweigh the need to withhold the information requested in this case.

For your information I enclose a copy of the recent High Court decision involving Councillor Aaron Keown.

I advise that under the provisions of the Act you have the right to request the Office of the Ombudsmen to review the decision of the Council on the disclosure of the information requested.

Yours faithfully


Chris Gilbert
Solicitor
Legal Services Manager

JR:FP
TRIM: 11/475772