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(Tel: 01443 864245 Email: [barrerm@caerphilly.gov.uk](mailto:barrerm@caerphilly.gov.uk))

**Date: 20th December 2019**

Dear Sir/Madam,

A meeting of the **Licensing and Gambling Sub Committee** will be held in the **Council Chamber - Penallta House, Tredomen, Ystrad Mynach** on **Wednesday, 8th January, 2020** at **10.00 am** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested

All Committee meetings are open to the Press and Public, observers and participants are asked to conduct themselves with respect and consideration for others. Please note that failure to do so will result in you being asked to leave the meetings and you may be escorted from the premises.

Yours faithfully,

**Christina Harrhy**  
INTERIM CHIEF EXECUTIVE

## A G E N D A

Pages

1 To receive apologies for absence.

2 Declarations of Interest.

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with Local Government Act 2000, the Council's Constitution and Code of Conduct for both Councillors and Officers.

**A greener place Man gwyrdach**





- 3 To receive and consider the following report which in the opinion of the Proper Officer may be discussed when the meeting is not open to the public and first to consider whether the public interest requires that the meeting should be closed to the public for consideration of this item. 1 - 2
- 4 Application for Review of Premises Licenses. 3 - 170

**Circulation:**

Councillors M. Davies, D.C. Harse and R. Whiting

And Appropriate Officers

**HOW WE WILL USE YOUR INFORMATION**

Those individuals that attend committee meetings to speak/give evidence will be named in the minutes of that meeting, sometimes this will include their place of employment or business and opinions expressed. Minutes of Meetings including details of speakers will be publicly available to all via the Council website at [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk). except for discussions involving confidential or exempt items.

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## LICENSING AND GAMBLING SUB COMMITTEE – 8TH JANUARY 2020

### PUBLIC INTEREST TEST – EXEMPTION FROM DISCLOSURE OF DOCUMENTS SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

**SUBJECT: APPLICATION FOR REVIEW OF PREMISES LICENSES.**

**REPORT BY: MONITORING OFFICER AND HEAD OF LEGAL SERVICES**

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I have considered grounds for exemption of information contained in the report referred to above and make the following recommendations to the Proper Officer:-

#### **EXEMPTIONS APPLYING TO THE REPORT:**

The report contains information relating to a particular individual – paragraph 12; information which reveals that the authority proposes to give a notice which imposes requirements on a person or to make an order or direction – paragraph 17; and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime – paragraph 18 – Schedule 12A Local Government Act 1972.

#### **FACTORS IN FAVOUR OF DISCLOSURE:**

There is a public interest for the process to be open and transparent when councils consider applications for Premises licenses.

#### **PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:**

The report includes personal information relating to the Licence holder, information in respect of a notice, order or direction, and information in connection with the prevention, investigation or prosecution of crime.

#### **MY VIEW ON THE PUBLIC INTEREST TEST IS AS FOLLOWS:**

That paragraphs 12, 17 and 18 should apply. My view on the public interest test is that whilst there is a need to ensure transparency and accountability of a Public Authority for decisions taken in relation to Premises Licences, this must be balanced against the fact that the report contains personal information about the licence holder, information about proposed notices, orders or directions and information relating to the prevention and investigation of crime, which must remain exempt from publication.

On that basis, I feel that the public interest in maintaining the exemptions does outweigh the public interest in disclosing the information. Members are asked to consider these factors when determining the public interest test, which they must decide when considering whether to exclude the press and public from the meeting when this agenda item is being considered.

#### **RECOMMENDED DECISION ON EXEMPTION FROM DISCLOSURE:**

On that basis I feel that the public interest in maintaining the exemptions does outweigh the public interest in disclosing the information and that the report should be exempt.

**Signed:**

**Date:**

19/12/19

**Post:**

**Monitoring Officer and Head of Legal Services**

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I accept/~~do not accept~~ the recommendation made above.

**Signed:**

  
Proper Officer

**Date:**

20/12/19



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# Agenda Item 4

By virtue of paragraph(s) 12, 17, 18 of Part 1 of Schedule 12A of the Local Government Act 1972.

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