



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

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

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

Signed:

Proper Officer

Date:

20/12/19