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(Tel: 07714600912 Email: [thomaj8@caerphilly.gov.uk](mailto:thomaj8@caerphilly.gov.uk))

**Date: 7th December 2022**

Dear Sir/Madam,

A digital meeting of the **Licensing and Gambling Sub Committee** will be held via Microsoft Teams on **Tuesday, 13th December, 2022 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.

This meeting will be recorded and made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals speaking will be publicly available to all via the recording on the Council website at [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)

Yours faithfully,

A handwritten signature in black ink, appearing to read 'CHARRY', enclosed within a large, loopy oval shape.

**Christina HARRY**  
CHIEF EXECUTIVE

## AGENDA

- 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

**A greener place Man gwyrddach**



with Local Government Act 2000, the Council's Constitution and Code of Conduct for both Councillors and Officers.

- 3 To receive and consider the following reports 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 Determination of Action Against A Personal Licence - Licensing Act 2003.  
3 - 16

**Circulation:**

Councillors C.J. Gordon, Ms J.G. Jones and S. Williams

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 – 13<sup>TH</sup> DECEMBER 2022

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

**SUBJECT: LICENSING OF PERSONAL LICENCE HOLDERS – LICENSING ACT  
2003**

**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).

**FACTORS IN FAVOUR OF DISCLOSURE:**

There is a public interest for the process to be open and transparent when councils consider the fitness or suitability of applicants or holders of Personal Licences.

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

The report includes sensitive personal information relating to the licensee.

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

That paragraph 12 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 Personal Licence Holders, this must be balanced against the fact that the report contains sensitive personal information about the licence holder which must remain exempt from publication.

On that basis I feel that the public interest in maintaining the exemption does outweigh the public interest in disclosing the information. Members are asked to consider this factor 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 exemption does outweigh the public interest in disclosing the information and that the report should be exempt.

**Signed:**

**Date: 6.12.22**

**Post: Monitoring Officer and Head of Legal Services**

I accept the recommendation made above.

**Signed:**

\_\_\_\_\_  
**Proper Officer**

**Date: 06.12.2022**  
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# Agenda Item 4

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

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