



TAXI AND GENERAL SUB COMMITTEE – 19TH OCTOBER 2017

PUBLIC INTEREST TEST - EXEMPTION FROM DISCLOSURE OF PERSONAL INFORMATION - SCHEDULE 12A LOCAL GOVERNMENT ACT 1972

SUBJECT: LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 – STREET TRADING

REPORT BY: PRINCIPAL SOLICITOR

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:

Information relating to a particular individual (para 12)

FACTORS IN FAVOUR OF DISCLOSURE:

There can be a public interest with regard to disclosing personal information of a person who is being granted a street trading consent.

PREJUDICE WHICH WOULD RESULT IF THE INFORMATION WERE DISCLOSED:

The report and annexed documents include personal information which has been provided by another agency and is not in the public domain.

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 street trading consents, this must be balanced against the fact that the information is not already widely available in the public domain and at this stage the need to protect the individual's privacy outweighs the need for the information to be made public.

This information is not affected by any other statutory provision, which requires the information to be publicly registered.

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 excluding the public from this part of the meeting.

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 information should be exempt.

Signed:

Date:

9th October 2017

Post:

Principal Solicitor

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

Signed:

Proper Officer

Date:

9/10/17