



## TAXI AND GENERAL SUB COMMITTEE – 23<sup>RD</sup> MAY 2024

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

**SUBJECT: LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 -  
REVIEW OF STREET TRADING CONSENT**

**REPORT BY: DEPUTY MONITORING OFFICER AND HEAD OF DEMOCRATIC  
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 and information relating to the financial or business affairs of any particular person (including the authority holding that information) – paragraph 14

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

There is a public interest for the process to be open and transparent when councils consider applications or reviews for Street Trading Consent holders.

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

The report includes personal information and confidential information regarding business deficiencies of the consent holder together with third party information which will be discussed and considered during the meeting

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

That paragraphs 12 and 14 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 report contains personal information about the consent holder and its business affairs together with third party information 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:**

A handwritten signature in black ink, appearing to read 'L. H. Jones'.

**Date: 14<sup>th</sup> May 2024**

**Post: Deputy Monitoring Officer and Head of Democratic Services**

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I accept the recommendation made above.

D.M. Street

Signed:

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Proper Officer

14.05.2024

Date:

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