

# CITY AND COUNTY OF SWANSEA

## NOTICE OF MEETING

You are invited to attend a Meeting of the

## GENERAL LICENSING COMMITTEE

**At:** Committee Room 3A, Guildhall, Swansea

**On:** Friday, 16 June 2017

**Time:** 10.00 am

**Chair:** Councillor Penny Matthews

### Membership:

Councillors: C Anderson, J P Curtice, P Downing, V M Evans, S J Gallagher, P Lloyd, H M Morris, C L Philpott, L G Thomas and L V Walton

## AGENDA

Page No.

- 1 **Apologies for Absence.**
- 2 **Disclosures of Personal and Prejudicial Interest.**  
[www.swansea.gov.uk/disclosuresofinterests](http://www.swansea.gov.uk/disclosuresofinterests)
- 3 **Minutes:** 1 - 5  
To approve & sign the Minutes of the previous meeting(s) as a correct record.
- 4 **Terms of Reference (For Information).** 6
- 5 **Proposed changes to Private Hire Operator Fees.** 7 - 9
- 6 **Proposed changes to Hackney Carriage and Private Hire Vehicle Fees.** 10 - 12
- 7 **Exclusion of the Public.** 13 - 16
- 8 **Local Government (Miscellaneous Provisions) Act 1976 - Town Police Clauses Act 1847 - Hackney Carriage and Private Hire Drivers Licence - TAA.** 17 - 26
- 9 **Equality Act 2010 - Passengers in Wheelchairs - Request for an Exemption Certificate - WJG.** 27 - 29
- 10 **Local Government (Miscellaneous Provisions) Act 1976 - Restricted Hackney Carriage and Private Hire Driver - ALR.** 30 - 36

- |    |   |         |
|----|---|---------|
| 11 | Local Government (Miscellaneous Provisions) Act 1976 - Dual Badge Driver - SJH.             | 37 - 40 |
| 12 | Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - NDTD. | 41 - 46 |

**Next Meeting:** 30 June 2017



**Huw Evans**  
**Head of Democratic Services**  
**Thursday, 8 June 2017**

---

**Contact: Democratic Services - Tel: (01792) 636923**

## CITY AND COUNTY OF SWANSEA

### MINUTES OF THE GENERAL LICENSING COMMITTEE

HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON FRIDAY,

21 APRIL 2017

AT 10.00 AM

**PRESENT:** Councillor P M Matthews (Chair) Presided

**Councillor(s)**

C Anderson

V M Evans

C L Philpott

**Councillor(s)**

A C S Colburn

P Lloyd

**Councillor(s)**

A M Cook

H M Morris

**Officer(s)**

Lynda Anthony

Richard Jenkins

Gavin White

Divisional Officer, Licensing, Food and Safety

Licensing Officer

Solicitor

**Apologies for Absence**

Councillor(s): J P Curtice, P Downing and K E Marsh

94 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

95 **MINUTES:**

**RESOLVED** that the minutes of the General Licensing Committee held on 10 March, 2017 be agreed as a correct record.

96 **EXCLUSION OF THE PUBLIC.**

The Committee was requested to exclude the public from the meeting during the consideration of the items of business identified in the recommendations to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exclusion paragraph of 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007, relevant to the item of business as set out in the report.

The Committee considered the Public Interest Test in deciding to exclude the public from the meeting for the items of business where the Public Interest Test was relevant, as set out in the report.

It was **RESOLVED** that the public be excluded for the following items of business.

**(CLOSED SESSION)**

97 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT  
(MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY  
CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE - JW.**

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of JW.

JW explained the circumstances of the convictions and answered Members questions.

**RESOLVED** that JW's application for the grant of a Hackney Carriage and Private Hire Driver's Licence be **REFUSED** under sections 51, and 59 of the Local Government (Miscellaneous Provisions) Act 1976.

**Reason for Decision**

1. A taxi driver holds a very responsible position & a large number of persons depend on taxi drivers in or around the Swansea area. It is paramount, therefore, that a driver is a fit and proper person.
2. The Committee were satisfied the convictions for theft in 2015 were very serious.
3. The Committee heard orally from JW, and the contents of both letters – including one from the local MP - were read. The Committee considered whether it should depart from its Guidelines. Ultimately, due to the severity of the convictions, Members were not satisfied that it was appropriate to reasonable depart from the Guidelines having regard to all the circumstances.
4. Members were not satisfied that JW was a fit and proper person and the Committee considered it necessary to apply the Guidelines which requires a driver should be able to demonstrate a period of three to five years free of any convictions.

98 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT  
(MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR THE GRANT  
FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S  
LICENCE - LS.**

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of LS.

LS, assisted by Mr Warren, Solicitor, explained the circumstances of the convictions and answered Members' questions.

**RESOLVED:** that LS's application for the grant of a Restricted Hackney Carriage and Private Hire Driver's Licence be **APPROVED** under sections 51, and 59 of the Local Government (Miscellaneous Provisions) Act 1976.

99 **TOWN POLICE CLAUSES ACT 1847 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCE - SMS.**

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of SMS.

SMS explained the circumstances of the convictions and answered Members questions.

**RESOLVED** that SMS's application for the grant of a Restricted Hackney Carriage and Private Hire Driver's Licence be **APPROVED** under sections 51, and 59 of the Local Government (Miscellaneous Provisions) Act 1976.

100 **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - DUAL BADGE DRIVER - SCT.**

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of SCT.

SCT, accompanied by Mr Warren, Solicitor, explained the circumstances of the convictions and answered Members questions.

**RESOLVED** that SCT be issued with a strong warning letter and no further action be taken in respect of SCT's hackney carriage and private hire licences.

101 **EQUALITY ACT 2010 - ASSISTANCE DOGS IN TAXIS - REQUEST FOR AN EXEMPTION CERTIFICATE - TAA.**

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of TAA.

TAA, accompanied by Mr Warren, Solicitor, explained the circumstances of the convictions and answered Members questions.

**RESOLVED** that TAA's application for an exemption certificate in relation to assistance dogs in taxis and private hire vehicles be **REFUSED** under sections 169, and 171 of the Equality Act 2010.

**Reason for Decision**

1. The Committee felt that a taxi driver holds a very responsible position and a large number of people depend on taxi drivers for mobility which includes vulnerable and disabled passengers.
2. The Committee will grant an exemption certificate in circumstances where they are content and satisfied with the medical evidence provided. Members were of the view that the two letters from the GP surgery did not provide sufficient detail as to how the medical condition effected and/or affects TAA. The Committee

were concerned that the GP(s) had not witnessed the effects of the allergy or saw the extent of its affects.

3. Furthermore, the Committee noted that TAA has not undergone any assessment by a medical practitioner. It appeared to the Members that TAA informed the pharmacist and GP(s) and they have made diagnoses on the information TAA provided.
4. TAA confirmed no allergy test has been conducted. The Members noted that such documentary evidence would have been useful
5. Subsequently, there was a lack of medical evidence, as no document submitted by TAA formally confirms TAA suffers from an allergy to dogs.
6. TAA confirmed on the last occasion whereby hives appeared was during October 2016 – some six months ago.
7. The Committee raised further concerns with the lack of medical evidence as there were unsure whether TAA suffered from an acute or chronic allergy.
8. TAA was not able to confirm how long, after being in contact with dogs, it would take to have an effect. Additionally, it was not made clear the length of time it would take for the symptoms to subside. TAA was unsure, and unable to confirm, how near a dog would have to be in proximity before TAA's symptoms would appear.
9. Save for an itch on TAA's skin, it was unclear why an exemption certificate would be required. It was not clear how the allergy affects TAA's ability to drive.
10. Members noted that TAA knew of the taxi conditions and a taxi driver was to disclose a medical condition - which may affect their driving - to the Licensing Authority. The Committee were concerned that TAA knew of the allergy in October 2017 but did not request an exemption certificate until 16<sup>th</sup> December 2016 – a short while after a complainant complained.
11. The Committee felt that there was not enough sufficient evidence before them to grant an exemption certificate.

102 **EQUALITY ACT 2010 - PASSENGERS IN WHEELCHAIRS - REQUEST FOR AN EXEMPTION CERTIFICATE - WJG.**

The Divisional Officer, Licensing, Food & Safety, detailed the background in respect of WJG and reported that WJG had stated WJG was unable to attend the meeting and requested that the Committee dealt with the matter in his absence.

**RESOLVED** that consideration of WJG's application for an exemption certificate in relation to passengers in wheelchairs be **DEFERRED** to a future meeting.

The meeting ended at 11.30 am

**CHAIR**

**CITY AND COUNTY OF SWANSEA**

**MINUTES OF THE GENERAL LICENSING COMMITTEE**

**HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON  
THURSDAY, 25 MAY 2017 AT 4.51 PM**

**PRESENT:**

**Councillor(s)**

C Anderson  
V M Evans  
L G Thomas

**Councillor(s)**

J P Curtice  
P Lloyd

**Councillor(s)**

P Downing  
P M Matthews

**Apologies for Absence**

Councillor(s): S J Gallagher, H M Morris, C L Philpott and L V Walton

- 1 **TO SUSPEND COUNCIL PROCEDURE RULE 12 "CHAIR OF MEETINGS" IN ORDER TO ALLOW THE PRESIDING MEMBER TO PRESIDE OVER THE UNDER MENTIONED AGENDA ITEMS.**

**RESOLVED** that Procedure Rule 12 be suspended in order to allow the Chair of Council to preside over this meeting.

**(COUNCILLOR D W W THOMAS PRESIDED)**

- 2 **TO ELECT A CHAIR FOR THE MUNICIPAL YEAR 2017 - 2018.**

**RESOLVED** that Councillor P M Matthews be elected Chair for the 2017-2018 Municipal Year.

**(COUNCILLOR P M MATTHEWS PRESIDED)**

- 3 **TO ELECT A VICE CHAIR FOR THE MUNICIPAL YEAR 2017 - 2018.**

**RESOLVED** that Councillor P Downing be elected Vice-Chair for the 2017-2018 Municipal Year.

- 4 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

The meeting ended at 4.52 pm

**CHAIR**

# Agenda Item 4

## **Terms of Reference - General Licensing Committee**

1. To determine all licensing matters and any other matters of a licensing nature as set out in the scheme of delegation with exception of Licensing Act 2003 and Gambling Act 2005 licensing functions and matters.
2. All Licensing matters will be considered by the General Licensing Committee or General Sub Committee as deemed necessary, exercising plenary powers meeting on such specific occasions as necessary.
3. The General Licensing Committee shall be empowered to do anything which is necessarily incidental to the exercise of the delegated function and all delegations and or authorisations shall be construed accordingly unless they are expressly limited otherwise in order to facilitate the determination of any matters considered by them.
4. The General Licensing Committee or General Licensing Sub Committee as deemed necessary shall be empowered to adopt or modify any such rules of procedure including, but not limited to the Statement of Principles for taxi licensing in order to facilitate the determination of any matters considered by them.
5. To review and update conditions attached to existing licences/certificates/permits/consents and to agree new conditions required due to changes in legislation and or changes in trends or practices.
6. To consider appeals against an officer decision to refuse an application for approval to work as a driver or passenger assistant in vehicles for school transport purposes.

**Note: All members of this Committee must have been trained by the Authority prior to them being permitted to take part in the meeting.**



**REPORT OF THE DIVISIONAL OFFICER  
LICENSING, FOOD & SAFETY  
TO THE GENERAL LICENSING COMMITTEE  
16<sup>th</sup> June 2017**

## **PROPOSED CHANGES TO PRIVATE HIRE OPERATOR FEES**

### **1.0 Background**

- 1.1 Section 10 and 11 of the Deregulation Act 2015 make provision for the reduction in legislative burdens on businesses, organisations and individuals and relates specifically to taxi and private hire licensing.

### **2.0 Deregulation changes**

- 2.1 The Licensing Authority, under the Local Government (Miscellaneous Provisions) Act 1976, has the discretion to issue licences for Private Hire Operators for up to 5 years.
- 2.2 Licences for a shorter duration, in accordance with the Deregulation Act 2015 can still be made available by the Licensing Authority but this will be on a case by case basis as is considered appropriate based on the circumstances of the case.
- 2.3 There is no further legislative guidance in relation to what the 'circumstances of the case' must be however current legal opinion suggests that the circumstances in which an annual licence can be issued may include e.g. where Members have concerns over an applicant's criminal history or conduct. It is also suggested that a request by an applicant for a one year licence would also be hard to refuse especially in relation to financial concerns.

### **3.0 Current Position**

- 3.1 Due to the changes made to the legislation and the need to provide the opportunity for 5 year licences, the Licensing Section has undertaken a comprehensive review of the existing licensing processes, procedures and fees.
- 3.2 Following the review, which has resulted in improvements through streamlining the procedures and processes in place for private hire operators, a new fee structure has been developed which reflects the improvements made and allows the licensing authority to as accurately as possible recover the fees to cover the cost of administering the service.
- 3.3 A table detailing the current and proposed fees is provided in paragraph 4 of the report.

- 3.4 Fees relating to private hire operators must be approved in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 and may be set to recover reasonable costs of providing the service.
- 3.5 The process for the setting of Private Hire Operator fees is in two stages, the proposed fees must be approved for consultation by the General Licensing Committee prior to being advertised in a local newspaper. A period of 28 days must be allowed for any person affected/interested to make comment or objection in writing. After the 28 days have passed, if no objections have been received the new fees will become effective on the date specified in the Notice.
- 3.6 If objections are received these will be reported to the General Licensing Committee for consideration and to agree any amendments to the proposed fees considered necessary. A new implementation date for the proposed fees must also be specified by the General Licensing Committee and this date must be within two months of the first date specified.
- 3.7 Operator fees were previously varied in 2004.

#### **4.0 Proposed Fees**

- 4.1 The proposed fees have been calculated using the “All Wales Expert Panel Toolkit” which has been endorsed for use by the Directors of Public Protection Wales and the Local Government Association.
- 4.2 The toolkit requires the use of data collected over a period of time which details the time spent by officers administering the particular service. Data relating to the service expenditure is also used and when all relevant costs are entered into the toolkit a licence fee is generated. The section of the toolkit used and the data collected is specific to each licence type.
- 4.3 It is proposed that the fees for 1 and 5 year Private Hire Operator licences identified in the table below are agreed to allow cost recovery in accordance with the legislation.

	<b>Current</b>	<b>Proposed</b>
Operator Grant 1 year (including restricted Operator)	£500.00 (Full) £125.00 (Restricted)	£350.00
Operator Grant 5 year (including restricted Operator)	N/A	£1410.00
Operator Renewal 1 year (including Restricted Operator)	£500.00 (Full) £125.00 (Restricted)	£300.00
Operator Renewal 5 year (including Restricted Operator)	N/A	£1355.00

**5.0 Financial Implications**

5.1 If the proposed fees are not agreed it is likely that the fees recovered will not reflect the cost of administering the service.

**6.0 Legal Implications**

6.1 The statutory procedure must be followed when setting fees in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

6.2 The fees to be charged cannot exceed the reasonable cost for the provision of the services set out in Section 70(1) of the 1976 Act by the Licensing Authority.

**7.0 RECOMMENDATIONS**

7.1 It is recommended that:

Members approve the proposed fees to be advertised.

**The Licensing Committee's instructions are requested.**

**Background Papers: None**  
**Contact Officer: Yvonne Lewis**  
**Extension: 5600**  
**Legal Contact: Lyndsay Thomas**

# Agenda Item 6

**REPORT OF THE DIVISIONAL OFFICER  
LICENSING, FOOD & SAFETY  
TO THE GENERAL LICENSING COMMITTEE  
16th June 2017**

**PROPOSED CHANGES TO HACKNEY CARRIAGE AND PRIVATE HIRE  
VEHICLE FEES**

**1.0 Background**

- 1.1 Fees relating to hackney carriage and private hire vehicles must be approved in accordance with Section 70 of the Local Government (Miscellaneous Provisions) Act 1976 and may be set to recover reasonable costs of providing the service.
- 1.2 The process for the setting of hackney carriage and private hire vehicle fees is in two stages, the proposed fees must be approved for consultation by the General Licensing Committee prior to being advertised in a local newspaper. A period of 28 days must be allowed for any person affected/interested to make comment or objection in writing. After the 28 days have passed, if no objections have been received the new fees will become effective on the date specified in the Notice.
- 1.3 If objections are received these will be reported to the General Licensing Committee for consideration and to agree any amendments to the proposed fees considered necessary. A new implementation date for the proposed fees must also be specified by the General Licensing Committee and this date must be within two months of the first date specified.
- 1.4 Vehicle fees were previously varied in 2009 and may be granted for a maximum of one year.

**2.0 Considerations**

- 2.1 The Licensing Section has undertaken a comprehensive review of the existing licensing processes, procedures and fees. Following the review which has resulted in some changes to the processes and procedures in place for hackney carriage and private hire vehicles, a new fee structure has been developed which reflects the changes made and allows the licensing authority to, as accurately as possible, recover the fees to cover the cost of administering the service.
- 2.2 A table detailing the current and proposed fees is provided in paragraph 3 of the report.

**3.0 Proposed Fees**

- 3.1 The proposed fees have been calculated using the “All Wales Expert Panel Toolkit” which has been endorsed for use by the Directors of Public Protection Wales and the Local Government Association.
- 3.2 The toolkit requires the use of data collected over a period of time which details the time spent by officers administering the particular service. Data relating to the service expenditure is also used and when all relevant costs are entered into the toolkit a licence fee is generated. The section of the toolkit used and the data collected is specific to each licence type.
- 3.3 It is proposed that the fees for hackney carriage and private hire vehicle licences identified in the table below are agreed to allow cost recovery in accordance with the legislation.

	<b>Current</b>	<b>Proposed</b>
Hackney Carriage Vehicle (Grant)	£320.00	£375.00
Hackney Carriage vehicle (Renewal)	£320.00	£305.00
Hackney Carriage vehicle (Substitution)	£112.00	£165.00
Private Hire Vehicle (including Restricted Private Hire Vehicle) (Grant)	£310.00	£290.00
Private Hire Vehicle (including Restricted Private Hire Vehicle) (Renewal)	£310.00	£235.00

Private Hire Vehicle (including Restricted Private Hire Vehicle) (Substitution)	£112.00 (Full) £78.50 (Restricted)	£142.00
--	---------------------------------------	---------

#### 4.0 **Financial Implications**

4.1 If the proposed fees are not agreed it is likely that the fees recovered will not reflect the cost of administering the service.

#### 5.0 **Legal Implications**

5.1 The statutory procedure must be followed when setting fees in accordance with the Local Government (Miscellaneous Provisions) Act 1976.

5.2 The fees to be charged cannot exceed the reasonable cost for the provision of the services set out in Section 70(1) of the 1976 Act by the Licensing Authority.

#### 6.0 **RECOMMENDATIONS**

6.1 It is recommended that :

Members approve the proposed fees to be advertised.

#### **The Licensing Committee's instructions are requested.**

**Background Papers:       None**  
**Contact Officer:         Yvonne Lewis**  
**Extension:                 5600**  
**Legal Contact:            Lyndsay Thomas**

## Report of the Interim Head of Legal & Democratic Services

### General Licensing Committee – 16 June 2017

#### EXCLUSION OF THE PUBLIC

<b>Purpose:</b>	To consider whether the Public should be excluded from the following items of business.	
<b>Policy Framework:</b>	None.	
<b>Reason for Decision:</b>	To comply with legislation.	
<b>Consultation:</b>	Legal.	
<b>Recommendation(s):</b>	It is recommended that:	
<b>1)</b>	The public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it / they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.	
	<b>Item No.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	8, 9, 10, 11 & 12	12, 13 & 18
<b>Report Author:</b>	Democratic Services	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	Tracey Meredith – Head of Legal, Democratic Services & Business Intelligence (Monitoring Officer)	

## 1. Introduction

- 1.1 Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.
- 1.2 Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

## 2. Exclusion of the Public / Public Interest Test

- 2.1 In order to comply with the above mentioned legislation, Cabinet will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it / they involve(s) the likely disclosure of exempt information as

set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

- 2.2 Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 2.3 The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in **Appendix A**.
- 2.4 Where paragraph 16 of the Schedule 12A applies there is no public interest test. Councillors are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

### **3. Financial Implications**

- 3.1 There are no financial implications associated with this report.

### **4. Legal Implications**

- 4.1 The legislative provisions are set out in the report.
- 4.2 Councillors must consider with regard to each item of business set out in paragraph 2 of this report the following matters:
  - 4.2.1 Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.
  - 4.2.2 If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test as set out in paragraph 2.2 of this report.
  - 4.2.3 If the information falls within paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test but must consider whether they wish to waive their privilege in relation to that item for any reason.

**Background Papers:** None.

**Appendices:** Appendix A – Public Interest Test.



## Public Interest Test

No.	Relevant Paragraphs in Schedule 12A
<b>12</b>	<b>Information relating to a particular individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 12 should apply. Their view on the public interest test was that to make this information public would disclose personal data relating to an individual in contravention of the principles of the Data Protection Act. Because of this and since there did not appear to be an overwhelming public interest in requiring the disclosure of personal data they felt that the public interest in maintaining the exemption outweighs 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.</p>
<b>13</b>	<b>Information which is likely to reveal the identity of an individual.</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 13 should apply. Their view on the public interest test was that the individual involved was entitled to privacy and that there was no overriding public interest which required the disclosure of the individual's identity. On that basis they felt that the public interest in maintaining the exemption outweighs 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.</p>
<b>14</b>	<b>Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 14 should apply. Their view on the public interest test was that:</p> <ul style="list-style-type: none"> <li>a) Whilst they were mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, the right of a third party to the privacy of their financial / business affairs outweighed the need for that information to be made public; or</li> <li>b) Disclosure of the information would give an unfair advantage to tenderers for commercial contracts.</li> </ul> <p>This information is not affected by any other statutory provision which requires the information to be publicly registered.</p> <p>On that basis they felt that the public interest in maintaining the exemption outweighs 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.</p>

No.	Relevant Paragraphs in Schedule 12A
15	<p><b>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 15 should apply. Their view on the public interest test was that whilst they are mindful of the need to ensure that transparency and accountability of public authority for decisions taken by them they were satisfied that in this case disclosure of the information would prejudice the discussion in relation to labour relations to the disadvantage of the authority and inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs 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.</p>
16	<p><b>Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b></p>
	<p>No public interest test.</p>
17	<p><b>Information which reveals that the authority proposes:</b>  <b>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</b>  <b>(b) To make an order or direction under any enactment.</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 17 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by the public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs 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.</p>
18	<p><b>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b></p>
	<p>The Proper Officer (Monitoring Officer) has determined in preparing this report that paragraph 18 should apply. Their view on the public interest test was that the authority's statutory powers could be rendered ineffective or less effective were there to be advanced knowledge of its intention/the proper exercise of the Council's statutory power could be prejudiced by public discussion or speculation on the matter to the detriment of the authority and the inhabitants of its area. On that basis they felt that the public interest in maintaining the exemption outweighs 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.</p>

# Agenda Item 8

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

# Agenda Item 9

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted



By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

# Agenda Item 10

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted

# Agenda Item 12

By virtue of paragraph(s) 12, 13, 18 of Schedule 12A  
of the Local Government Act 1972  
as amended by the Local Government (Access to  
Information) (Variation) (Wales) Order 2007.

Document is Restricted