



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## General Licensing Committee

**At:** Committee Room 1 - Civic Centre, Swansea

**On:** Friday, 14 December 2018

**Time:** 10.00 am

**Chair:** Councillor Penny Matthews

#### Membership:

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

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#### Agenda

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|----------|---|----------------|
| <b>1</b> | <b>Apologies for Absence.</b>   |                |
| <b>2</b> | <b>Disclosures of Personal and Prejudicial Interest.</b><br><a href="http://www.swansea.gov.uk/disclosuresofinterests">www.swansea.gov.uk/disclosuresofinterests</a>                            |                |
| <b>3</b> | <b>Minutes:</b><br>To approve & sign the Minutes of the previous meeting(s) as a correct record.  | <b>1 - 4</b>   |
| <b>4</b> | <b>Request to Remove Minimum Engine Size/Capacity Requirement.</b>  | <b>5 - 8</b>   |
| <b>5</b> | <b>Local Government (Miscellaneous Provisions) Act 1976 -<br/>Application for the Grant of a Licence for a Restricted Private Hire<br/>Vehicle, Nissan NV200 - Registration Mark NK12 FHW.</b>  | <b>9 - 12</b>  |
| <b>6</b> | <b>Exclusion of the Public.</b>   | <b>13 - 16</b> |
| <b>7</b> | <b>Town Police Clauses Act 1847 - Local Government (Miscellaneous<br/>Provisions) Act 1976 - Equality Act 2010 - Passengers in<br/>Wheelchairs - Request for an Exemption Certificate - MC.</b> | <b>17 - 24</b> |
| <b>8</b> | <b>Town Police Clauses Act 1847 - Local Government (Miscellaneous<br/>Provisions) Act 1976 - Application for the Grant of a Hackney<br/>Carriage and Private Hire Driver's Licence - KSR.</b>   | <b>25 - 42</b> |

- 9 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 - AJR. 43 - 77

**Next Meeting:** Friday, 11 January 2019 at 10.00 am

*Huw Evans*

**Huw Evans**  
**Head of Democratic Services**  
**Friday, 7 December 2018**

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

# Agenda Item 3



City and County of Swansea

## Minutes of the **General Licensing Committee**

Council Chamber, Guildhall, Swansea

Friday, 9 November 2018 at 10.00 am

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

**Councillor(s)**

C Anderson  
P Downing  
H M Morris  
L G Thomas

**Councillor(s)**

J P Curtice  
S J Gallagher  
C L Philpott  
L V Walton

**Councillor(s)**

N J Davies  
P Lloyd  
B J Rowlands

**Officer(s)**

Lynda Anthony  
Craig Davies  
Gareth James  
Richard Jenkins  
Lyndsay Thomas  
Samantha Woon

Licensing, Food and Safety Manager  
Lawyer (Observing)  
Fleet Engineer (Central Transport Unit)  
Licensing Officer  
Principal Lawyer  
Democratic Services Officer

#### **40 Disclosures of Personal and Prejudicial Interest.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interest was declared:

Councillor N J Davies – Personal – Minute No. 47 - 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 - KSR. Applicant known to me professionally. Councillor N J Davies left the meeting prior to consideration of the item.

#### **41 Minutes:**

**Resolved** that the Minutes of the General Licensing Committee held on 12 October, 2018, be agreed as a correct record.

#### **42 Rear Wheelchair Accessible Hackney Carriage Vehicles.**

The Licensing, Food & Safety Manager presented a report seeking approval for Licensing Officers to determine further applications in respect of rear loading, wheelchair accessible vehicles.

She referred to consultations with the Fire Authority, relevant considerations and the proposed procedure.

Members' asked questions of the Officer who responded accordingly.

The Lawyer advising the Committee clarified the purpose of the report and referred to the public interest in the matter given that three members of the public were in attendance at the meeting.

Members' were asked their views regarding allowing the three members of the public who wanted to make oral representations. The Lawyer gave advice on the procedures laid down in the Constitution and alternatives the committee could adopt.

Members **resolved** the public be given the opportunity to speak in favour or against the recommendation, allowing a 5 minute split in those of favour/against.

Members considered the representations from three members of the public, all in support of the recommendation.

**Resolved** that:

1. Officers of the Licensing Section are authorised to grant vehicle licenses in respect of hackney carriage vehicles that are rear wheelchair accessible, subject to the vehicle passing the Council's inspection and meeting all other application criteria and that these vehicles are licensed on merit.
2. Any vehicles that do not comply with the required standards will be reported to the General Licensing Committee for determination.

**43 Procedure for Immediate Actions - Suspension or Revocation of a Hackney Carriage/Private Hire Driver's Licence.**

The Licensing, Food & Safety Manager presented a report for information which detailed the action taken by Officers following the decision to ensure a driver is prevented from driving a licensed vehicle. Members had sought clarification regarding the powers available to Officers to request that the licence and badges are returned to the Authority.

**Resolved** that the report be **noted**.

**44 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.

**Resolved** that the public be excluded for the following items of business.

**(Closed Session)**

**45 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 - DJB.**

The Licensing, Food & Safety Manager, detailed the background in respect of DJB's application for the grant of a Hackney Carriage and Private Hire Driver's Licence.

DJB explained the circumstances and answered Members' questions.

**Resolved** that DJB's application for the Grant of a Hackney Carriage and Private Hire Driver's Licence be **approved**.

**46 Town Police Clauses Act 1847 - Local Government (Miscellaneous Provisions) Act 1976 - Application for the Grant of a Restricted Hackney Carriage and Private Hire Driver's Licence - LB.**

The Licensing, Food & Safety Manager, following the approval of LB, circulated additional information received from South Wales Police and detailed the background in respect of LB's application for the Grant of a Restricted Hackney Carriage and Private Hire Driver's Licence.

LB requested that the Lawyer advising the Committee read a written submission regarding the circumstances of the offence. The Lawyer also read out information regarding related matters that LB had provided for the members information.

Members' asked questions of LB and Officers, all of whom responded accordingly.

**Resolved** that LB's application for the Grant of a Restricted Hackney Carriage and Private Hire Driver's Licence be **refused**.

**Reason for Decision**

1. Members' were not satisfied LB was a fit and proper person so that they could depart from their guidelines which state three years should elapse from restoration of the driving licence.
2. It was deemed that LB, given the date and seriousness of the conviction, was still in a probationary period and the members were not satisfied the behaviour was a one off which would not be repeated.
3. Members' noted that LB was a school transport escort, however, this role does not include driving members of the public.

**47 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 - KSR.**

KSR sought Committee's approval to defer consideration of the matter to the meeting of the General Licensing Committee on 14 December, 2018, in order to allow KSR to seek appropriate representation.

**Resolved** that KSR's request for a deferment to the General Licensing Committee meeting on 14 December, 2018 be **approved**.

The meeting ended at 11.36 am

**Chair**

# Agenda Item 4



**Report of the Licensing and  
Food & Safety Manager  
General Licensing Committee  
14th December 2018**

## **Request to Remove Minimum Engine Size/Capacity Requirement**

### **1.0 Background**

- 1.1 A number of enquiries have been received by the Licensing Division from vehicle proprietors of both the hackney carriage and private hire trade who wish to licence vehicles where the engine size falls under the required 1500cc.
- 1.2 The current conditions have been in place since 2005 although have been subject to changes approved by the Licensing Committee where necessary.
- 1.3 A report requesting the removal of the minimum engine size/capacity was previously considered by the General Licensing Committee on the 12<sup>th</sup> August 2016. The decision of the Committee at that time was that the minimum engine size requirement of 1500cc be retained.

### **2.0 Current Position**

- 2.1 Currently the hackney carriage, private hire and restricted private hire vehicle conditions require that the engine capacity of all vehicles shall not be less than 1500cc.

### **3.0 Proposal**

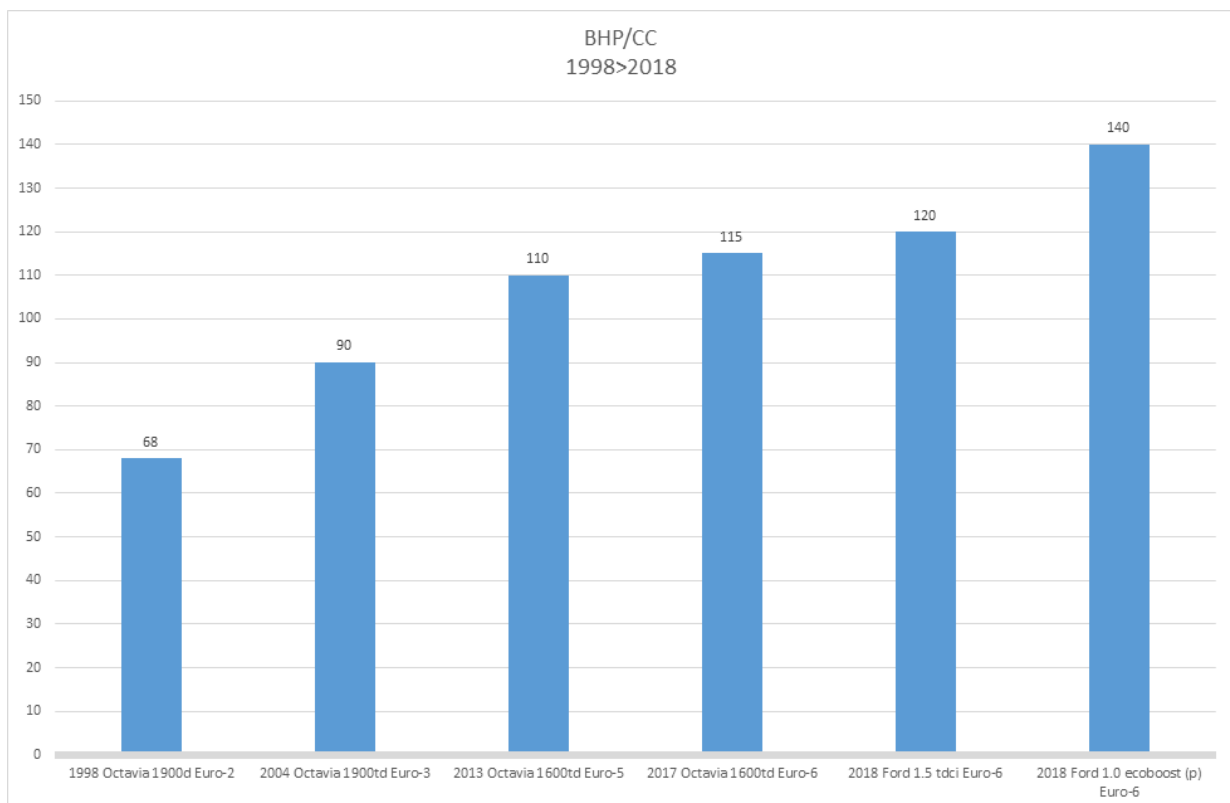
- 3.1 Due to the advances in car manufacturing since 2005, a number of licensed proprietors have expressed concerns that the engine size restriction specified in the vehicle conditions is out of date and request that this restriction is removed.
- 3.2 The removal of this restriction would mean that all vehicles would be considered on merit regardless of engine capacity.

#### 4.0 Research

4.1 Officers have carried out research into this matter and it is clear that car manufacturers are investing a considerable amount of money in producing engines that will match/improve, the power output of vehicles together with improvements in fuel consumption and exhaust emissions.

This can be seen by advances in the following:

- a. Turbo chargers, which allow for the engine to be reduced in cc (cubic capacity) and weight, whilst increasing the power/performance output of the engine i.e. miles per gallon, emissions.
- b. Increase in torque output. Torque is the engine's rotational force. It differs from horsepower as it refers to the amount of work an engine can exert, while horsepower defines how quickly that work can be delivered. Torque is often referred to in layman's terms as 'pulling power'
- c. Changes to brake horse power (BHP) – As illustrated below, in 1998 the Skoda Octavia 1900cc, a normally aspirated diesel engine (no turbo) had 68 BHP. The modern day equivalent vehicle has a 1600 turbo diesel engine with 115 BHP.





d. Introduction of Euro 6 Emissions - improved emission standards

Tier	Date	CO	THC	NMHC	NO <sub>x</sub>	HC+NO <sub>x</sub>	PM	PN [# /km]
<b>Diesel</b>								
Euro 1†	July 1992	2.72 (3.16)	-	-	-	0.97 (1.13)	0.14 (0.18)	-
Euro 2	January 1996	1.0	-	-	-	0.7	0.08	-
Euro 3	January 2000	0.66	-	-	0.50	0.56	0.05	-
Euro 4	January 2005	0.50	-	-	0.25	0.30	0.025	-
Euro 5a	September 2009	0.50	-	-	<b>0.180</b>	0.230	0.005	-
Euro 5b	September 2011	0.50	-	-	0.180	0.230	0.005	6×10 <sup>11</sup>
Euro 6	September 2014	0.50	-	-	<b>0.080</b>	0.170	0.005	6×10 <sup>11</sup>
<b>Petrol (Gasoline)</b>								
Euro 1†	July 1992	2.72 (3.16)	-	-	-	0.97 (1.13)	-	-
Euro 2	January 1996	2.2	-	-	-	0.5	-	-
Euro 3	January 2000	2.3	0.20	-	0.15	-	-	-
Euro 4	January 2005	1.0	0.10	-	0.08	-	-	-
Euro 5	September 2009	1.0	0.10	0.068	0.060	-	0.005**	-
Euro 6	September 2014	1.0	0.10	0.068	0.060	-	0.005**	6×10 <sup>11</sup> ***

All new diesel cars sold from September 2014 must meet Euro 6 Emissions standards for exhaust emissions of NOx (Nitrogen Oxide) and other pollutants.

From the table above it can be seen that the level of permitted exhaust emissions of NOx has been reduced by half from 0.180 ppm (parts per million) in September 2009 to 0.080 ppm in September 2014.

- e Hybrid Vehicles – these are vehicles which are operated by two forms of power. In recent years there has been an increase in the production of hybrid vehicles which have engines smaller than 1500cc. Members may wish to note that the new London TX is equipped with a 1300cc petrol engine.
- f Electric Vehicles – solely electric vehicles are now being manufactured.

## **5.0 Considerations**

- 5.1 In view of the requests made, discussions have been held with an Officer from the Central Transport Unit (CTU) regarding the suitability of the removal of the engine size restriction from the vehicle conditions. The officer has confirmed that the removal of the condition would allow the City and County of Swansea taxi trade to contribute to the enhancement of the environment under the Green Agenda, as complied with by the Council with its own fleet of over 700 vehicles. The officer will be present at Committee to answer any technical questions Members may have.

## **6.0 Recommendations**

- 6.1 It is recommended that after consideration of this report and hearing from the officer from the Council's CTU, that the condition requiring that the engine capacity of the hackney carriage, private hire and restricted private hire vehicles must be not less than 1500cc is removed.

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

**Background Papers:** Licence Application  
**Contact Officer:** Kath Thomas  
**Extension:** 5600  
**Legal Contact:** Aled Gruffydd



Cyngor **Abertawe**  
**Swansea** Council

**Report of the Licensing and  
Food & Safety Manager  
General Licensing Committee  
14<sup>th</sup> December 2018**

## **Local Government (Miscellaneous Provisions) Act 1976 – Application for the Grant of a Licence for a Restricted Private Hire Vehicle, Nissan NV200 – Registration Mark NK12 FHW**

### **1.0 Introduction**

- 1.1 An application for the grant of a restricted private hire vehicle licence has been received from Mr Wayne Harris of PW & EK Harris Taxi Hire Ltd. The vehicle does not comply with the current licensing criteria set by the City and County of Swansea due to the engine capacity. Mr Harris wishes to use the restricted private hire vehicle, if licensed, for the purposes of school transport.

### **2.0 Relevant Considerations**

- 2.1 The vehicle is a blue Nissan NV200 and was first registered on 1<sup>st</sup> May 2012 and is 6 years and 7 months old. The registration mark of the vehicle is NK12 FHW and is capable of carrying 6 passengers.
- 2.2 The engine capacity of the vehicle is 1461cc.
- 2.3 It is proposed that the vehicle will be used for School Transport purposes only.
- 2.4 The vehicle has attended and passed a pre-application vehicle check and an application for a restricted private hire vehicle licence was submitted together with proof of insurance, MOT and V5. The vehicle also attended and passed an inspection at the Central Transport Unit on 26<sup>th</sup> September 2018. The mileage recorded at this time was 105,006 miles.

### 3.0 Current Licensing Criteria – Engine Capacity

3.1 The Council's current requirement in relation to engine capacity states:

*“The engine capacity of the vehicle shall not be less than 1500cc.”*

3.2 Members are therefore being asked to consider whether the Nissan NV200, Registration Mark NK12 FHW is considered suitable for licensing as a restricted private hire vehicle as the engine capacity of the vehicle is 1461cc.

## 4. LEGISLATION RELATING TO THE LICENSING OF PRIVATE HIRE VEHICLES

4.1 The powers relating to the licensing of private hire vehicles are contained in Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 which states:

### **“Licensing of private hire vehicles”**

48 (1) Subject to the provisions of this part of this Act, a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicles as a private hire vehicle, grant in respect thereof a vehicle licence:

Provided that a district council shall not grant such a licence unless they are satisfied –

- (a) that the vehicle is –
  - (i) suitable in type, size and design for use as a private hire vehicle;
  - (ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage;
  - (iii) in a suitable mechanical condition;
  - (iv) safe; and
  - (v) comfortable

that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of Part VI of the Road Traffic Act 1988, and shall not refuse such a licence for the purpose of limiting the number of vehicles in respect of which such licences are granted by the council.

A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably

- (2) necessary including, without prejudice to the generality of the foregoing provisions of this sub-section, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates’.
- (3) In every vehicle licence granted under this section there shall be specified—
  - (a) the name and address of—
    - (i) the applicant; and
    - (ii) every other person who is a proprietor of the private hire vehicle in respect of which the licence is granted, or who is concerned, either solely or in partnership with any other person, in the keeping, employing or letting on hire of the private hire vehicle;
  - (b) the number of the licence which shall correspond with the number to be painted or marked on the plate or disc to be exhibited on the private hire vehicle in accordance with subsection (6) of this section;
  - (c) the conditions attached to the grant of the licence; and
  - (d) Such other particulars as the district council consider reasonably necessary.
- (4) Every licence granted under this section shall -
  - (a) be signed by an authorised officer of the council which granted it;
  - (b) relate to not more than one private hire vehicle; and
  - (c) remain in force for such period not being longer than one year as the district council may specify in the licence.
- (5) Where a district council grant under this section a vehicle licence in respect of a private hire vehicle they shall issue a plate or disc identifying that vehicle as a private hire vehicle in respect of which a vehicle licence has been granted.
- (6) (a) Subject to the provisions of this Part of this Act, no person shall use or permit to be used in a controlled district as a private hire vehicle in respect of which a licence has been granted under this section unless the plate or disc issued in accordance with subsection (5) of this section is exhibited on the vehicle in

such manner as the district council shall prescribe by condition attached to the grant of the licence.

(b) If any person without reasonable excuse contravenes the provisions of this subsection he shall be guilty of an offence.

(7) Any person aggrieved by the refusal of a district council to grant a vehicle licence under this section, or by any conditions specified in such a licence, may appeal to a magistrates' court.

4.2 It is evident from section 48 above that the Council are not under a duty to issue a licence once an application has been made, they have discretion. Section 48(1)(a) and (b) also includes specific situations where a council must not grant a licence.

## **5. RECOMMENDATION**

5.1 It is recommended that after careful consideration of the detail of this report and hearing from Mr Harris, Members determine whether to:

- a. Grant Mr Harris a restricted Private Hire Vehicle licence in respect of the Nissan NV200, registration mark NK12 FHW and that this licence is renewed on merit. OR
- b. Refuse Mr Harris a restricted Private Hire Vehicle licence in respect of the Nissan NV200, registration mark NK12 FHW giving reasons why it is not considered suitable under Section 48 of the Local Government (Miscellaneous Provisions) Act 1976.

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

**Background Papers:** Licence application  
**Contact Officer:** Kath Thomas  
**Extension:** 5600  
**Legal Contact:** Aled Gruffydd

# Agenda Item 6



## Report of the Chief Legal Officer

General Licensing Committee – 14 December 2018

### 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>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's.</b>	<b>Relevant Paragraphs in Schedule 12A</b>
	7, 8 & 9	12 & 13
<b>Report Author:</b>	Democratic Services	
<b>Finance Officer:</b>	Not Applicable	
<b>Legal Officer:</b>	Tracey Meredith – Chief Legal Officer (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></p> <p><b>(a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</b></p> <p><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 7

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

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

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# Agenda Item 8

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

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

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# Agenda Item 9

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

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

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