

Access to Information Arrangements

Exclusion of access by the public to Council meetings

Information Compliance Ref: 404/13

Decision Maker:

Date: 16th April 2013

Author: Andrew Jones

Report/Appendix:

Stage 2 Casino Premises Licence - Application by Global Gaming Ventures Limited to extend the duration of a Provisional Statement

Appendix A – Provisional Statement granted to Global Gaming Ventures and Annexes.

Appendix B – Schedule 9 Agreement

Exempt Appendix C - Application for an extension of Provisional Statement by Global Gaming Ventures Ltd.

Exempt Appendix D - Extracts from final report of the Casino Advisory panel

Exempt Appendix E - Representations from Global Gaming Ventures Ltd

Exempt Appendix F - Decision by Licensing Committee concerning application for grant of a Provisional Statement for a small casino.

Exempt Appendix G – Correspondence between B&NES and Global Gaming Ventures Ltd regarding timescale for Provisional Statement.

Annexes C - G to the Report contain exempt information, according to the categories set out in the Local Government Act 1972 (amended Schedule 12A). The relevant exemption is set out below.

Stating the exemption:

- 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).*

The public interest test has been applied, and it is concluded that the public interest in maintaining the exemption outweighs the public interest in

disclosure at this time. It is therefore recommended that the Panel resolve to exclude the public, should they wish to discuss the appendices to the report. The paragraphs below set out the relevant public interest issues in this case.

Public Interest Test

If a Decision Maker wishes to consider a Report / Appendix relating to a Decision in private, they must be satisfied on two matters.

Firstly, they must be satisfied that the information contained within the Report / Appendix falls within one of the accepted categories of exempt information under the Local Government Act 1972.

Paragraph 3 of the revised Schedule 12A of the 1972 Act exempts information which relates to the financial or business affairs of any particular person (including the authority holding that information). There is information set out in Appendices C-G which relates to the financial and business affairs of Global Gaming Ventures Limited. The Council's Information Compliance Manager has confirmed that this information falls within the exemption under paragraph 3.

Secondly, it is necessary to weigh up the arguments for and against disclosure on public interest grounds.

Factors for disclosure:

Disclosure would:

- Further public understanding of the issues concerned.
- Promote accountability and transparency by the Council for the decisions it takes.
- Allow individuals and companies to understand decisions made by the Council affecting their lives and assist individuals to challenge those decisions.
- Promote accountability and transparency in the spending of public money.
- Further public participation in the public debate of issues.

Factors for withholding:

The Appendices C-G contain commercial information detailing the applicants bid for a casino premises licence. The bid was part of a competition for the licence and the Annexes include sensitive commercial information which if made available would prejudice the commercial interests of the parties involved and would provide competitors with an unfair advantage.

Reasons why the public interest favours withholding the information:

The Council considers that the public interest has been served by the fact that a significant amount of information has been made available on these issues – by way of the main report.

It is considered that disclosure of sensitive commercial information would prejudice the commercial interests of the applicant. Disclosure of this information would provide competitors with an unfair advantage.

It is important for public authorities to have some measure of 'private thinking space', and that they are able to share important information with Members tasked with representing the local community.