

**Freedom of Information Request 1123-1819**

**Request**

**Can you please provide the following details from the records which you hold under The Licensing Act 2003:-**

**A full list of all premises who are currently allowed to have the sale of alcohol on their premises. The list needs to contain the following:**

- **Premises Licence Number**
- **Date Issued**
- **Premises Licence Status**
- **Premises Name**
- **Premises Address**
- **Premises Postcode**
- **Premises Telephone Number**
- **Premises Category e.g. Cafe, Bar, Theatre, Nightclub**
- **Premises Licence Holder Company Name or Person Title and Full Name (if not a company).**
- **Premises Licence Holder Address**
- **Premises Licence Holder Postcode**
- **Designated Premises Supervisor Name**
- **Designated Premises Supervisor Address**
- **Designated Premises Supervisor Postcode**

**ACCESSIBILITY AND REQUESTED FORMAT**

**Due to visual requirements, I kindly ask that you don't provide links to databases. If this is essential( and it would be a huge help if it were not), please no database/ page links that are not Level AA conformance to the Web Content Accessibility Guidelines WCAG 2.0**

**Requested format:**

**Please provide the information in an Excel Spreadsheet format , preferably Microsoft Excel (\*.xls). If you cannot supply the information in this format please can you explain why?**

## **Response**

Your request for information has now been considered. Rotherham Metropolitan Borough Council cannot supply all the information you have requested for the reasons set out below.

Section 1 of the Freedom of Information Act 2000 (FOIA) places two duties on public authorities. Unless exemptions apply, the first duty at Section 1(1)(a) is to confirm or deny whether the information specified in a request is held. The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

Where exemptions are relied upon Section 17 of the Freedom of Information Act 2000 requires that we provide the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies

In relation to this particular request, the following exemptions apply:

Section 12 – where the cost of compliance would exceed the appropriate limit

Section 40(2) – third party personal information

The attached spreadsheet contains the following details of all premises that are currently allowed to have the sale of alcohol on their premises.

- **Premises Licence Number**
- **Date Issued**
- **Premises Name**
- **Premises Address**
- **Premises Postcode**
- **Premises Licence Holder Company Name or Person Title and Full Name (if not a company).**
- **Premises Licence Holder Address**
- **Premises Licence Holder Postcode**
- **Designated Premises Supervisor Name**

Please note the following:

- **Premises Licence Status**

All premises on the list have active licences in place that allow the retail sale of alcohol on the premises, therefore the status of all premises is “active”.

- **Premises Category e.g. Cafe, Bar, Theatre, Nightclub**

This information is not recorded on the licensing database. In order to provide the premises category it would be necessary to cross reference the licensing database with other databases within the Council. This would need to be done on a case by case basis and it is estimated that this exercise would exceed the maximum cost as detailed in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. The work required has been assessed at approximately 4 minutes per record, which would take approximately 40 hours to provide the information required. For this reason we will not be providing the premises category.

- **Premises Telephone Number** – This information is provided by the applicant in some, but not all, cases – it has not been verified by the Council and as a result it may be the personal telephone number of an individual rather than the premises telephone number.

- **Designated Premises Supervisor Address** – this is a request for third party personal information.

- **Designated Premises Supervisor Postcode** – this is a request for third party personal information.

Disclosure of third party personal information, as requested in the above three bullet points, without the consent of the individuals concerned would breach Principle 1 of the Data Protection Act 2018, which states that personal information should be processed fairly and lawfully. We do not consider that the individuals concerned would expect the Council to disclose this information to the wider public in response to a Freedom of Information Act request and disclosure would therefore constitute unfair processing.

This third party personal information is exempt under Section 40(2) of the Freedom of Information Act 2000.