

Environmental Information Regulations 2004 / Freedom of information Act 2000

Pre-application enquiries, together with any response made by the Council, will not be made available for public inspection and applicants may confirm in writing to us that information provided is commercially sensitive.

However, if the Local Planning Authority receives a request, under the Environmental Information Regulations (EIR) or Freedom of Information Act (FOI), to disclose information relating to pre-application enquiries they are obliged to do so unless the information is deemed exempt under the Act.

Information can only be withheld under EIR or FOI if the information falls under one of the exceptions (EIR) or exemptions (FOI) set out in legislation. For certain pre-application issues the applicant would be advised to complete the commercially sensitive checklist that should set out the reasons why, and for how long, they feel any information relating to the case needs to remain confidential. We will consult with the applicants should we receive a request before reaching a final decision on the request. However, whilst we will take account of these views, the final decision on whether the information should be provided or withheld rests with the Council.