

## **Urgent Update, Item 13- Additional information**

### **Transparency**

Most documents relating to planning applications form part of the statutory planning register: we have a duty to make this information available to the public. We comply with current guidance, if this changes in respect of GDPR we will review our practices. We are also consistent with many other authorities.

The documentation for planning applications and any representations received in response to them must be made available for public inspection, in accordance with the Local Government (Access to Information) Act 1985.

The name and postal address of those making representations is crucial so that the Council may establish who and where representations come from so comments can be afforded full weight and for transparency. Any anonymous representations will be given little or no weight in the decision making process

**Freedom of Information Act (FOI) and Environmental Information Regulations (EIR)** - The Freedom of Information Act 2000 provides a general right of access to all information and the Environmental Information Regulations 2004 give similar rights of access to environmental information held by public authorities.

EIR has a general presumption in favour of being as open and transparent as possible (Regulation 4 quoted below).

*4.—(1) Subject to paragraph (3), a public authority shall in respect of environmental information that it holds—*

*(a) progressively make the information available to the public by electronic means which are easily accessible; and*

*(b) take reasonable steps to organize the information relevant to its functions with a view to the active and systematic dissemination to the public of the information.*

We publish comments on the website in accordance with Regulation 4 of EIR. This has then been put into the SCI which also gives it weight in planning terms. To comply with GDPR we make it very clear that names and addresses will be published when we collect the information. We do also allow exceptions to this whereby an individual can request that their name and address remain confidential – we see requests of this nature infrequently.

The planning process is an open public process, and the name and address of the commenter could affect the weight of the representation making this information publicly available on our website affords it the same transparency to residents and decision makers.

## **Cost**

Additional cost of removing the name and address from our website

This has been estimated as £25,000 (1 additional fte) per annum, based on business as usual around 60 submissions a day. However resource would need to be increased for larger applications that attract additional comments. Also at this point those comments including names and addresses would be available for public inspection.

## **Enforcement**

We do not publish any details about enforcement apart from when we serve an enforcement notice.

When we serve an enforcement notice, we publish summary information and a copy of the enforcement notice. All other details remain confidential, but please note the final paragraph below. We do not publish any information about who made the complaint.