

ENCLOSURE 5

SCHEDULE 12A LOCAL GOVERNMENT ACT 1972 EXEMPTION FROM DISCLOSURE OF DOCUMENTS

REPORT:	Town and Country Planning Act 1990 Prohibition Orders on old mineral working sites
AUTHOR:	Head of Planning Services
MEETING AND DATE OF MEETING:	Planning Access & Rights of Way Committee Tuesday, 30 th September 2008

I have considered grounds for exemption of information contained in the report referred to above and make the following recommendation to the Proper Officer:-

Exemptions applying to the report:

- Information relating to the financial or business affairs of any particular person (other than the Authority)
- Information which reveals that the authority proposes to
 - a) give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b) To make an order or direction under any enactment

Factors in favour of disclosure:

- Facilitate the accountability and transparency of our decisions;
- Facilitate accountability and transparency in the spending of public money;
- Allow individuals to understand decisions made by the authority

Prejudice which would result if the information were disclosed:

- Disclose the identity of land assets and their use prior to a decision being taken whether or not to make an order
- Gives landowner prior notice of intention to make order
- Prejudice confirmation of order

My view on the public interest test is as follows:

I have considered the report contained in Enclosure 5 Item 3 of the reports to be presented to PAROW on the Tuesday, 30th September, 2008 and have measured each case against the public interest test. For the reasons outlined above, I consider that the factors in favour of disclosure are outweighed by those against.

Recommended decision on exemption from disclosure:

For the reasons set out above, it is recommended that the information contained within this report is exempt from disclosure.

Date: 24th September '08

Signed: Cymorgan

Post: Head of Planning Services.

I ~~accept~~ do not accept the recommendation made above.

J. Cook

Proper Officer

Date: 24.9.08