

ENCLOSURE 9

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

REPORT: Enforcement Report – Where authority is being sought to commence formal enforcement action.

Enforcement Report – Where no breach of planning control has taken place or cases where a breach of planning control has been resolved.

AUTHOR: Enforcement Officer

MEETING AND DATE OF MEETING: Planning Access & Rights of Way Committee
30 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 a particular individual
- Information which is likely to reveal the identity of a particular person
- 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
- Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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 individuals prior to a decision being taken whether or not to take action – causing unnecessary concern to the individual and public opprobrium if proceedings are not pursued.
- Prejudice potential judicial proceedings

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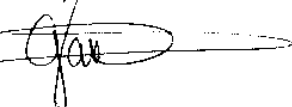
My view on the public interest test is as follows:

I have considered the enforcement cases contained within the aforementioned reports to be presented to PAROW on the 30 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 these enforcement reports is exempt from disclosure.

Date: 23/9/08

Signed: 

Post: Enforcement Officer

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



Proper Officer

Date: 24.9.08