
FORWARD PLAN



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Notice of Key Decisions / Notice of Private Meetings

Pursuant to the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

This Plan gives at least 28 days notice if the Cabinet of Tunbridge Wells Borough Council intends to make a key decision¹ or make a decision in private². Other decisions by the executive are also included on the Plan wherever possible.

Relevant documents can be downloaded from the Council's website or are available on request from: Democratic Services, Town Hall, Royal Tunbridge Wells, TN1 1RS or committee@tunbridgewells.gov.uk. Documents may be submitted to the decision maker via Democratic Services.

If it is necessary to hold a meeting in private, the reasons for this are stated alongside the decision. These reasons are prescribed by Schedule 12A of the Local Government Act 1972 (as amended) and summarised at the back of this Plan.

Representations against the intention to make a decision in private can be submitted in writing to Democratic Services no less than ten working days before the meeting date.

If the Council is unable to give 28 days notice, it will publish the reasons for this on its website and at its offices.

Councillor Ben Chapelard
Leader of the Council

Publication Date: 13 September 2023
The most recent version of the Plan supersedes all previously issued versions
Guidance notes are provided at the back of this document

Members of the Cabinet and their respective Cabinet Responsibilities

Councillor Ben Chapelard Leader of the Council

- Strategic Policy
- Communications, Consultations & Engagement
- Transparency
- Human Resources (including learning & development)
- Democratic Services
- Devolution/Enhanced two-tier working

Councillor Pamela Wilkinson Sport, Leisure and Health

- Sports and Leisure Centres
- Parks
- Grounds Maintenance
- Health

Councillor Justine Rutland Economic Development

- Royal Tunbridge Wells Town Centre
- Economic Development & Tourism
- Business Engagement
- Supporting the Town Centre
- Culture & the Arts & Customer Service
- Assembly Hall, Ice Rink & The Amelia Scott
- Events
- Transportation
- Parking (on and off street)

Councillor Nancy Warne Deputy Leader and Communities

- Deputy Leader
- Rural/Parished Areas & Parish Chairs
- Community Safety and CCTV
- Community Centres and Hubs
- Community Partnerships
- Assets of Community Value
- Equalities (including younger & older people)
- Equalities and Equal Access
- Community Grants
- Cost of Living Crisis

Councillor Ellen Neville Environmental Services

- Cemetery and crematorium
- Recycling and waste collection
- Street cleansing and littering
- Fly Tipping and Abandoned Vehicles
- Environmental Protection
- Environmental Health
- Licensing
- Food Hygiene & Health & Safety Standards in businesses
- Corporate Health and Safety

Councillor Hugo Pound Housing and Planning

- Planning Policy
- Strategic Sites and Delivery
- Development Management
- Heritage and Conservation
- Planning Enforcement
- Land Charges
- Building Control
- Housing (incl Private Sector and Housing Needs)
- Homelessness Prevention and Reduction

Councillor Jayne Sharratt Carbon Reduction & Sustainability

- Sustainability – Carbon Reduction and promoting biodiversity
- Community Leadership (raising funds for carbon reduction)

Councillor Christopher Hall Finance and Performance

- Finance
- Revenues and Benefits
- Internal Audit and Risk Management
- Property, Estates & Facilities Management
- Performance & Project Management
- ICT, Technology and Digital Transformation
- Legal Services
- FOI/EIR/Complaints/Data Protection
- Procurement Policy and Strategy

Leader of the Council – Councillor Ben Chapelard

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key?¹	Private?²
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There are no items within the designated timeframe.

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
21/09/23 Cabinet		05/09/23 Finance and Governance Cabinet Advisory Board	Annual Corporate Health and Safety Report To note the contents of the report, along with the work undertaken to secure a safe and healthy working environment. <i>(All Wards)</i>		Mike Catling, Corporate Health and Safety Advisor	No	
21/09/23 Cabinet		05/09/23 Finance and Governance Cabinet Advisory Board	Performance Summary Quarter 1 To consider an outline of the Council's performance against key strategic indicators. Measures prescribed by Central Government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of June 2023. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Pamela Grover-Morgan, Performance and Governance Manager	No	Open
21/09/23 Cabinet		05/09/23 Finance and Governance Cabinet Advisory Board	Revenue Management Report - Quarter 1 To receive the financial position as at the end of June 2023. <i>(All Wards)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
21/09/23 Cabinet		05/09/23 Finance and Governance Cabinet Advisory Board	Capital Management Report - Quarter 1 To receive the financial position as at the end of June 2023. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
21/09/23 Cabinet		05/09/23 Finance and Governance Cabinet Advisory Board	Treasury and Prudential Indicator Management Report - Quarter 1 To receive the financial position as at the end of June 2023. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
21/09/23 Cabinet	Full Council 4/10/23	05/09/23 Finance and Governance Cabinet Advisory Board	<p>*Showfields, Tunbridge Wells - Disposal of Parcels of Land</p> <p>Town & Country Housing have approached TWBC to acquire a number of small parcels of land that have remained in the ownership of the Council since the transfer of the housing stock to TCH. This is to consolidate their landholding as part of their plan to redevelop the Estate. The intention is to agree an option to purchase now & for the matter to complete once their own plans are ready to proceed. Currently there are 13 parcels amounting to a total of 454.9 m sq. The land are predominately footpaths or highway. The firm of GL Hearn were instructed to provide a valuation in September 2022 which was accepted by both parties. The total value of the parcels of land has been calculated at £27,134.</p> <p>TCH are currently assessing whether other parcels may be required as part of the need to accommodate the cycle path that is planned to pass through the area.</p> <p><i>(Broadwater)</i></p>	The Finance and Governance CAB will be consulted.	Peter Benfield, Senior Estates Officer	No	Part
26/10/23 Cabinet		10/10/23 Finance and Governance Cabinet Advisory Board	<p>Budget Update Report 2024/25</p> <p>To consider an update on the Budget and the current financial position of the Council (Stage 2 of 4 in setting the forthcoming year's budget).</p> <p><i>(All Wards)</i></p>	The Finance and Governance CAB will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
26/10/23 Cabinet	Full Council 13/12/23	10/10/23 Finance and Governance Cabinet Advisory Board	*Council Tax Reduction Scheme 2024/25 Each year the Council is required to review its Localised Council Tax Reduction Scheme (providing support towards the payment of Council Tax for those on low incomes) and to put in place a scheme for the next financial year prior to 11 March. This report will give an overview of the 2022/23 scheme and the current 2023/24 scheme and make recommendations for the approval of the 2024/25 scheme. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Zoe Kent, Interim Head of Revenues and Benefits	No	Open
26/10/23 Cabinet	Full Council 13/12/23	10/10/23 Finance and Governance Cabinet Advisory Board	*Disposal of Surplus Land at Mount Pleasant Car Park This report seeks Cabinet's authority for the disposal of a surplus land asset known as Mount Pleasant Car Park in Mount Pleasant Avenue, Royal Tunbridge Well. <i>(All Wards)</i>	The site has been advertised through Lamberts Smith Hampton and the local newspaper.	Jonathan White, Corporate Property Manager	Yes	Part
23/11/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Fees and Charges Setting 2024/25 To consider and agree the fees and charges set by the Council. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	Yes	Open
23/11/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Banking Tender 2024/25 The Council is re-tendering its banking and merchant services contract. This report is to obtain Cabinet approval to contract with the winning bidder, as the contract is likely to be valued at over £250,000 and therefore require a key decision. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	Yes	Open

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
07/12/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Performance Summary Quarter 2 To consider an outline of the Council's performance against key strategic indicators. Measures prescribed by Central Government through the Single Data List (SDL) and the progress against each of the strategic projects as at end of September 2023. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Pamela Grover-Morgan, Performance and Governance Manager	No	Open
07/12/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Complaints Summary Quarters 1 & 2 A review of the complaints received under the Council's complaints procedure between 1 April and 30 September 2023. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Pamela Grover-Morgan, Performance and Governance Manager	No	Open
07/12/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Draft Asset Management Plan 2024/25 For the Cabinet to set its recommendations for the Asset Management Plan and to consult on proposed changes. <i>(All Wards)</i>	Request permission for public consultation. The Finance and Governance CAB will be consulted.	David Candlin, Head of Economic Development and Property	No	Open
07/12/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Revenue Management Report Quarter 2 To receive the financial position as at the end of September 2023. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
07/12/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Capital Management Report Quarter 2 To receive the financial position as at the end of September 2023. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open
07/12/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Treasury and Prudential Indicator Management Report Quarter 2 To receive the financial position as at the end of September 2023. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	No	Open

Finance and Performance - Councillor Christopher Hall

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
07/12/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Draft Budget 2024/25 & Mid Term Financial Strategy Update To consult on proposals for the Budget and on the Medium Term Financial Strategy 2024/25 (Stage 3 or 4 in setting the forthcoming year's budget). <i>(All Wards)</i>	Request permission for public consultation. The Finance and Governance CAB will be consulted.	Lee Colyer, Director of Finance, Policy and Development (Section 151 Officer)	No	Open
07/12/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Calculation of Council Tax Base To consider proposals for setting the Council Tax and Business Rate Tax Base for 2024/25. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	Yes	Open
07/12/23 Cabinet		14/11/23 Finance and Governance Cabinet Advisory Board	Consideration of a new lease or freehold disposal of land at Tunbridge Wells Rugby Club Tunbridge Wells Rugby Club have requested that the Council grant them a new longer lease or land or consider a freehold disposal of land at the Rugby Club. <i>(Pantiles & St Mark's)</i>	The Finance and Governance Cabinet Advisory Board will be consulted.	David Candlin, Head of Economic Development and Property	No	Full
21/03/24 Cabinet		05/03/24 Finance and Governance Cabinet Advisory Board	Insurance Tender 2024/25 The insurance contract is being tendered for renewal in October 2024. This report will lay out the winning bid for Cabinet approval, as the contract will be over £250,000 and will therefore be a key decision. <i>(All Wards)</i>	The Finance and Governance CAB will be consulted.	Jane Fineman, Head of Finance and Procurement	Yes	Open

Communities (And Deputy Leader) - Councillor Nancy Warne

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key?¹	Private?²
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There are no items within the designated timeframe

Economic Development – Councillor Justine Rutland

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
07/12/23 Cabinet	Full Council 13/12/23	15/11/23 Communities and Economic Development Cabinet Advisory Board	<p>*Economic Development Strategy Report setting out the findings of the consultation on the Draft Economic Development Strategy, any amendments that have been made to the document in response to the consultation and proposing that the Strategy be adopted. <i>(All Wards)</i></p>	Consultation will take place in September-October 2023. The Comms and ED CAB will be consulted.	Hilary Smith, Economic Development Manager	No	Open

Environmental Services – Councillor Ellen Neville

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key?¹	Private?²
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There are no items within the designated timeframe.

Housing and Planning - Councillor Hugo Pound

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
Not before 01/02/23 Cabinet Member for Housing and Planning			<p>Levelling Up and Regeneration Bill: reforms to national planning policy</p> <p>The report sets out the Draft changes to national planning policy, shown in the tracked change version of the National Planning Policy Framework (NPPF) and provides a suggested response on behalf of Tunbridge Wells Borough Council to the Government consultation on these proposed changes to national planning policy.</p> <p><i>(All Wards)</i></p>	Report to be published before decision is made.	Ellen Gilbert, Planning Policy Manager	No	Open
Not before 03/07/23 Cabinet Member for Housing and Planning			<p>TWBC Response to public consultation on the Draft High Weald AONB Management Plan 2024-2029</p> <p>This report is a Portfolio Holder report to sign off TWBC's formal response to the public consultation on the Draft High Weald AONB Management Plan, which is to be consulted upon in September/October 2023.</p> <p><i>(All Wards)</i></p>	Report to be published before decision is made.	Ellen Gilbert, Planning Policy Manager	No	Open
Not before 20/09/23 Cabinet Member for Housing and Planning			<p>KCC Consultation: Local Transport Plan for Kent</p> <p>The report provides an introduction and background to the KCC consultation on the Draft Kent Local Transport Plan and sets out the contents of the consultation document and arrangements for making representations to the consultation, which ends on 18 September 2023. The report then provides a draft representation to be submitted to the consultation on behalf of TWBC.</p> <p><i>(All Wards)</i></p>	Report to be published before decision is made.	Ellen Gilbert, Planning Policy Manager	No	Open

Housing and Planning - Councillor Hugo Pound

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
21/09/23 Cabinet		06/09/23 Communities and Economic Development Cabinet Advisory Board	Nomination Agreement The nomination agreement details the nomination arrangements for the allocation of social and affordable rental housing ensuring that the Council's statutory duties are met by the housing providers operating within the Borough. <i>(All Wards)</i>	The Communities and Economic Development CAB will be consulted.	Tobi Phillips, Affordable Housing and Enabling Officer	No	Open
21/09/23 Cabinet		06/09/23 Communities and Economic Development Cabinet Advisory Board	Affordable Housing Commuted Sum Position Statement This statement aims to provide guidance to developers, including Housing Associations and other Registered Providers on the Council's approach to how and when commuted payments in lieu of on-site affordable housing will be considered. <i>(All Wards)</i>	The Communities and Economic Development CAB will be consulted.	Tobi Phillips, Affordable Housing and Enabling Officer	Yes	Open
21/09/23 Cabinet		06/09/23 Communities and Economic Development Cabinet Advisory Board	Affordable Housing Commuted Sums Spending Policy This report presents the document Policy and Procedure to spend commuted sums designated for affordable housing. <i>(All Wards)</i>	The Communities and Economic Development CAB will be consulted.	Tobi Phillips, Affordable Housing and Enabling Officer	Yes	Open
21/09/23 Cabinet		04/09/23 Planning and Transportation Cabinet Advisory Board	Biodiversity - Actions to Comply with the Environment Act 2021 This report will provide details of and seek approval to prepare/consult on the Biodiversity Action Plan/reporting under the Statutory Duty for Reporting on Biodiversity and continued support for Biodiversity Net Gain project. <i>(All Wards)</i>	The Planning and Transportation CAB will be consulted.	Ellen Gilbert, Planning Policy Manager	No	Open

Housing and Planning - Councillor Hugo Pound

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
21/09/23 Cabinet		04/09/23 Planning and Transportation Cabinet Advisory Board	Kent High Weald Partnership:Service Level Agreement and Funding This report provides details of a new Service Level Agreement (SLA) between Tunbridge Wells Borough Council and the Kent High Weald Partnership, including funding details. <i>(All Wards)</i>	The Planning and Transportation CAB will be consulted.	Ellen Gilbert, Planning Policy Manager	No	Open
26/10/23 Cabinet	Full Council 13/12/23	12/10/23 Communities and Economic Development Cabinet Advisory Board	*Empty Homes Policy 2023-2028 Review and refresh of current Empty Homes Policy and action plan. <i>(All Wards)</i>	The Communities and Economic Development CAB will be consulted.	Sue Oliver, Private Sector Housing Manager	Yes	Open
26/10/23 Cabinet	Full Council (TBC)	09/10/23 Planning and Transportation Cabinet Advisory Board	*Local Development Scheme (LDS): Update This report sets out details of an updated Local Development Scheme (LDS). The LDS sets out details of the planning policy documents that the Council has adopted, is presently preparing and those that it intends to prepare, including those which form the Development Plan. It is intended to provide information to local residents and other interested parties to help them participate in the plan-making process. It gives details about: <ul style="list-style-type: none"> - The documents the Council will be preparing; - The subject matter and geographical area to which these documents relate; and - The timetable for their preparation and adoption. The LDS will update and replace the current LDS dated October 2021. <i>(All Wards)</i>	The Planning and Transportation CAB will be consulted.	Ellen Gilbert, Planning Policy Manager	Yes	Open

Housing and Planning - Councillor Hugo Pound

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key? ¹	Private? ²
26/10/23 Cabinet	Full Council - TBA	09/10/23 Planning and Transportation Cabinet Advisory Board	<p>*Main Modifications Consultation of Local Plan 2020-2038, and Sustainability Appraisal</p> <p>To consult on the Main Modifications of the emerging Tunbridge Wells Borough Council Local Plan and Sustainability Appraisal for a 6 week period. <i>(All Wards)</i></p>	A statutory period of 6 weeks consultation is required. Dates to be confirmed. The Planning and Transportation CAB will be consulted.	Carlos Hone, Head of Planning	Yes	Open
07/12/23 Cabinet	Full Council 13/12/23	15/11/23 Communities and Economic Development Cabinet Advisory Board	<p>*Procurement of Partnership Services</p> <p>Procurement has been undertaken to deliver a hospital discharge, home straight and handy person services. Cabinet is requested to approve a selected supplier/s to commence the new contracts on 1 April 2024. These services are funded from the Better Care Fund allocation received from Government annually. <i>(All Wards)</i></p>	The Comms and ED CAB will be consulted.	Sue Oliver, Private Sector Housing Manager	Yes	Open
07/12/23 Cabinet		13/11/23 Planning and Transportation Cabinet Advisory Board	<p>Kent High Weald AONB Unit: Service Level Agreement</p> <p>This report provides details of the new Service Level Agreement (SLA) between the High Weald AONB and the Local Planning Authorities (LPAs) that cover the High Weald AONB. <i>(All Wards)</i></p>	The Planning and Transportation CAB will be consulted.	Ellen Gilbert, Planning Policy Manager	No	Open
21/03/24 Cabinet	Full Council TBA	04/03/24 Planning and Transportation Cabinet Advisory Board	<p>*High Weald AONB Management Plan 2024-2029</p> <p>This report relates to the formal approval of the High Weald AONB Management Plan, 2024 - 2029, which would become a material planning consideration in planning decisions. <i>(All Wards)</i></p>	The Planning and Transportation CAB will be consulted.	Ellen Gilbert, Planning Policy Manager	No	Open

Sports, Leisure and Health - Councillor Pamela Wilkinson

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key?¹	Private?²
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There are no items within the designated timeframe.

Sustainability - Councillor Jayne Sharratt

Date of decision/ Decision maker	Full Council	Advisory Board	Report Title, Summary and Ward	Consultation Details	Relevant Officer	Key?¹	Private?²
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There are no items within the designated timeframe.

Note 1: KEY DECISIONS

A “key decision” means a decision which is to be taken by the executive of the Council which is likely to:

- (a) result in the Council incurring expenditure which is, or the making of savings which are over £250,000 as well as otherwise being significant having regard to the Council’s budget for the service or function to which the decision relates; or
- (b) be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough of Tunbridge Wells.

Note 2: REASONS A MEETING MAY BE HELD IN PRIVATE

In accordance with section 100A(4) of the Local Government Act 1972 (as amended), the public may be excluded from a meeting on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the Act. The exemption must be by virtue of one or more specified paragraphs which are shown on the meeting agenda (giving 5 days notice) and, in the case of the Cabinet, on the Forward Plan (giving 28 days notice). The exemptions are summarised as follows:

Paragraph (1) - Information relating to any individual.

QUALIFICATIONS:

Paragraph (2) - Information which is likely to reveal the identity of an individual.

(8) Information falling within paragraph (3) above is not exempt information by virtue of that paragraph if it is required to be registered under –

Paragraph (3) - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

- (a) the Companies Act 1985;
- (b) the Friendly Societies Act 1974;
- (c) the Friendly Societies Act 1992;
- (d) the Industrial and Provident Societies Acts 1965 to 1978;
- (e) the Building Societies Act 1986; or
- (f) the Charities Act 1993.

Paragraph (4) - Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.

(9) Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

Paragraph (5) - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Paragraph (6) - Information which reveals that the authority proposes –

- (a) to 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.

(10) Information which –

- (a) falls within any of paragraphs 1 to 7 above; and
- (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above,

Paragraph (7) - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

is exempt information if and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.