

APPENDIX 2

The following shall be inserted in place of the existing paragraph 10.4 of Part 4E ('The Access to Information Procedure Rules'):-

10.4 Meaning of exempt information

Exempt information means information falling within the following 10 categories/paragraphs (subject to any qualification thereto):

| Category /Paragraph (Column 1) | Qualification (Column 2) |
|---|---|
| | <p>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.</p> <p>Information falling within paragraph 3 in column 1 is not exempt information by virtue of that paragraph if it is required to be registered under –</p> <ul style="list-style-type: none">(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;(f) the Charities Act 1993 <p><u>Application of public interest test</u></p> |
| <p>1. Information relating to any individual</p> <p>2. Information which is likely to reveal the identity of an individual</p> <p>3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>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</p> | <p>Information which –</p> <ul style="list-style-type: none">(a) falls within any of paragraphs 1 to 7 in column 1; and(b) is not prevented from being exempt by virtue of the paragraphs which appear above the application of public interest test in column 2, <p>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.</p> |

| Category | Condition |
|--|-----------|
| <p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings</p> <p>6. Information which reveals that the authority proposes -</p> <p>(a) to give under any enactment, a notice under or by virtue of which requirements are imposed on a person; or</p> <p>(b) to make an order or direction under any enactment</p> <p>7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p> <p>In relation to the Standards Committee or a sub-committee of it</p> <p>7A. Information which is subject to any obligation of confidentiality</p> <p>7B. Information which relates in any way to matters concerning national security</p> <p>7C. The deliberations of a standards committee or of a sub-committee established under the provisions of Part III of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of section 60(2) or (3), 64 (2), 70(4) or (5) or 71 (2) of that Act.</p> | |

See The Local Government (Access to Information)(Variation) Order 2006 SI2006/88, The Local Authorities (Executive Arrangements)(Access to Information)(Amendment)(England) Regulations 2006 SI2006/69 and The Relevant Authorities (Standards Committee)(Amendment) Regulations 2006 SI2006/87