



# EAST RIDING

OF YORKSHIRE COUNCIL

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**Date:** 16 September 2021

Dear Sir

## **Freedom of Information Act 2000 Request for Information**

On 15 August 2021 East Riding of Yorkshire Council received your request for information under the Freedom of Information Act 2000. The information you have requested, along with the Council's response, is set out below.

### **Details of Request & Response:**

**As per the Freedom Of Information Act could I please request any information held in relation to:**

#### **1. The ERYC High Court appeal over the Balk development decision**

The council confirms that it holds relevant information that comes within the parameters of the request. Under Section 21 of the Act we are not required to provide information in response to a request if it is already reasonably accessible to you. The information you requested is available from the Planning Court. Papers in relation to the case can be obtained through application to the Planning Court - Reference : CO/1307/2021 & CO/1313/2021 East Riding of Yorkshire Council v [1] SSHCLG & [2] Gladman Developments. The court has listed the matters for an oral hearing on 12th & 13th October 2021.

Further, under Section 42 of the Act any information in relation to which a claim for legal professional privilege could be maintained are deemed exempt from disclosure. The council holds that any information it holds which cannot be accessed through the Court will be subject to legal professional privilege.

#### **2. "The council's bill would be 'no more than £20,000'"**

The council does not hold any information in relation to the above statement.

**Caroline Lacey**  
Chief Executive

In making the above decision the council has applied the public interest test to consider whether the public interest in maintaining the exemption outweighs that of disclosure and has concluded that in this case it is not in the public interest to disclose the information. The public interest arguments addressed in reaching this decision are explained below.

Public interest test

Public interest for maintaining the exemption:

There is a public interest in the concept of legal professional privilege. This serves the wider administration of justice, especially in the present context of live proceedings.

Public interest in disclosure:

There is a public interest in transparency, accountability and furthering the public debate on issues such as planning matters and legal disputes which public authorities are involved in.

If you are dissatisfied with the above response or how your request has been handled you can ask for the Council to review this by contacting the Freedom of Information Coordinator on the above telephone number or by email on [foi@castriding.gov.uk](mailto:foi@castriding.gov.uk) within 6 weeks of this letter which is 28 October 2021.

A senior manager will carry out the review within 10 working days of receipt of your request and provide a response within 20 working days. It will provide a fair and thorough review of the decisions taken and where necessary how your request has been handled.

If you are not content with the outcome of the review you can apply to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the Council's review procedure. The Information Commissioner can be contacted as follows:

Online: <https://ico.org.uk/make-a-complaint/>

Tel: 0303 123 1113

Yours sincerely

Information Governance and Feedback Team