

## Response to Request for Information

Reference EIR 000054  
Date 30 June 2016

### *Planning Application – Tettenhall College*

**Request:**

Please take this communication as a formal request under the Freedom of Information and/or the Environmental Information Regulations (as the Council considers appropriate) for sight of a Barristers Opinion as to whether the proposal constitutes a C2 or a C3 use Class and whether an affordable housing contribution ought to be sought. This opinion would have been received by council planning officers in mid April 2016

With reference to your above questions, after careful consideration I regret to inform you that we have decided not to disclose this information.

The information you requested is being withheld as it falls under:

EIR Exception – Justice – R.12(5)(b) which relates to “The course of justice, the ability of a person to obtain a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature.”

In applying this exception we have had to balance the public interest in withholding the information against the public interest in disclosure. On this occasion we find that the disclosure of this information would have a detrimental effect upon what is a ‘live’ case. All matters in this public enquiry are still under consideration and work is being undertaken in preparing evidence and legal submissions based on Counsel’s advice.