



Place Directorate

Coventry City Council
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Council House
Coventry
CV1 5RR

www.coventry.gov.uk

19 February 2020

Please contact Information Governance
Direct line 024 7697 5408
infogov@coventry.gov.uk

Dear Sir,

**Environmental Information Regulations 2004 (EIR)
Request ID: REQ06641**

Thank you for your request for information relating to pre-planning application advice as outlined below. We apologise for the delayed response.

Minutes of all pre-application planning meetings held with the applicant (Complex Development Projects Ltd) + any company/organisation acting on their behalf by any staff/officers of the planning/highways/sustainability/other council departments in relation to the planning application for Abbots Lane (OUT/2019/2454) -

- all

mentioned on p7, section 23 of the application form - + any other correspondence between the Council and the applicant/agent etc + any minutes of meetings which may have involved councillors or other Council employees with regard to this application.

We can confirm that the Council holds the information you are seeking, however this type of information falls under the Environmental Information Regulations 2004 and we have therefore dealt with your request under this Act.

After consideration the pre-application advice falls under the exception of Regulation 12(5)(e) of the EIR (confidentiality of commercial or industrial information).

We have applied the exception as disclosure would cause harm to the legitimate interests of the applicant. Disclosure is likely to affect the applicant's commercial negotiating position with third parties and would harm the confidential nature of the advice.

The use of this exception is subject to a public interest test where we have had to balance the public interest in withholding the information against the public interest in disclosure.

Coventry City Council acknowledges that there is public interest in the activities being undertaken with pre-application discussions.

However, it is not in the public interest to prejudice third party negotiations particularly at a time where the applicant may be yet to commence commercial negotiations with third parties (e.g. contractors).

There is public interest in allowing public authorities to withhold information which if disclosed, would reduce its ability to negotiate or compete in a commercial environment or cause reputational damage or loss of customer confidence. To clarify, where disclosure may cause unwarranted reputational damage to a public authority or another organisation whose information it holds, which may in turn damage its commercial interests or cause detrimental impact on its other negotiations.

The Council recognises the need for openness and transparency however in respect of the arguments for non-disclosure and having considered the public interest, we have decided not to release the requested information.

To assist you, all correspondence linked to the planning application can be accessed on the Council's Planning Portal, please use the following link:

<http://planning.coventry.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=804922>

Should you wish to make any further requests for information, you may find what you are looking for is already published on the [Council's web site](#) and in particular its [FOI/EIR Disclosure log](#), [Council's Publication Scheme](#), [Open Data](#) and [Facts about Coventry](#).

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: infogov@coventry.gov.uk

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email casework@ico.org.uk.

Please remember to quote the reference number above in your response.

Yours sincerely

Information Governance