



RHONDDA CYNON TAF

**RECORD OF DELEGATED OFFICER DECISION**

**SUBJECT: Public Access to Planning Documents Online**

**PURPOSE OF ATTACHED REPORT:**

- 1) To ensure compliance with Data Protection, Freedom of Information, Environmental Information Regulations, Copyright and Planning legislation in relation to the online publication of documents received during the planning process.

**DELEGATED DECISION:**

**It is agreed to:**

- 1) Approve the public disclosure and online publication of consultation and publicity responses during the planning application process.

**Chief Officer Signature**

Keith Griffiths  
**Print Name**

29-2-12  
**Date**

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution.



A. Clark

28/2/2012

**CONSULTEE CABINET MEMBER SIGNATURE**

**DATE**

**OFFICER CONSULTEE SIGNATURE**

**DATE**

Directorate:	REGENERATION & PLANNING
Contact Name:	Simon Gale
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# **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

## **MUNICIPAL YEAR 2010 – 2011 REPORT TO ACCOMPANY DECISION OF CHIEF EXECUTIVE**

<b>Part 1</b> (Non-Confidential)
<b>Public Access to Planning Documents Online</b>

### **1. PURPOSE OF THE REPORT**

- 1.1 To ensure compliance with Data Protection, Freedom of Information, Environmental Information, Copyright and Planning legislation in relation to the publication of documents received during the planning application process.

### **2. RECOMMENDATION**

- 2.2 To approve, subject to the procedures listed in paragraph 3.4 below, that neighbour letters and consultation responses be made available for public inspection, including online, whilst an planning application is under consideration.

### **3. BACKGROUND**

- 3.1 PARSOL (Planning and Regulatory Services Online), in consultation with the Information Commissioner (IC), has produced guidance to local planning authorities on the issues to consider when making planning documents available to the public electronically on a Council website.
- 3.2 Local planning authorities have a statutory duty under the 1995 General Development Procedure Order to keep a register of planning applications available for the public to view.
- 3.3 Currently, while an application is under consideration, a customer can only inspect copies of the applications forms and any accompanying plans and documents. Responses to statutory consultations or publicity (including letters written by neighbours) are not held on this copy file. Such responses only become publicly available 5 days before an application is reported to the Development Control Committee, or when a Delegated decision has been signed off. The responses are considered to be background papers to the recommendation report.



- 3.3 However, The IC considers the value of disclosure of information and notes that planning information attracts a strong presumption in favour of disclosure because planning activities often impact upon the environment, The PARSOL guidance suggests that it is appropriate to make consultation replies available for public inspection (including on the internet) whilst an application is under consideration.
- 3.4 The proposed changes to the way in which we publicise planning application correspondence has been developed in consultation with the Director of Legal and Democratic Services who advises a number of practical procedures be followed to cover the publication of neighbour and consultee responses online, and for copyright compliance:
- 3.4.1 Display a notice explaining that we will publish responses, and also include this on our correspondence. Online we should use a click/tick box to accept our terms and conditions before viewing planning details online;
  - 3.4.2 Redact telephone numbers, email addresses and signatures (from neighbour letters);
  - 3.4.3 Display a notice regarding copyright infringement;
  - 3.4.4 Display a notice pointing out that the material on the website may be incomplete.

