



Data Protection Officer  
Freedom of Information  
NW Leicestershire District Council  
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Date: 13 November 2020

## **FREEDOM OF INFORMATION REQUEST 1339**

I write further to your email dated 21 October 2020.

Your request has been dealt with under the terms of the Freedom of Information Act 2000 (FOIA), explained on our [freedom of information](#) page.

Your request:

- (1) All costs incurred by the Council in each financial year from 2014/2015 to 2018/2019 in either defending or bringing a claim for Judicial Review in respect of Planning cases including any external professional fees incurred.

For the purposes of this piece of research the definition of Planning cases means:

- (i) Defending the grant of Planning Permission;
- (ii) Defending a challenge to the Local Plan;
- (iii) Defending a decision regarding Planning Enforcement, eg serving a Breach of Condition Notice or a decision not to enforce;
- (iv) Bringing a claim for Judicial Review against another public authority in respect of a Planning issue;
- (v) Defending Council decisions regarding Rights of Way;
- (vi) Defending Council decisions regarding Town and Village Greens.

Please identify costs incurred by way of the categories listed above. To the extent the information is available, please also provide internal costs incurred by the Council in respect of each case and please identify those costs separately from the legal costs incurred.

- (2) All costs incurred (including any external professional fees) incurred by the Council in each financial year from 2014/2015 to 2018/2019 in all Planning Appeals for those years, whether they were by Written Representations, Hearing or by Public Inquiry. Please include information where a costs award was made by the Inspector together with the Planning Appeal reference and the year of the decision.

To the extent the information is available, please also provide internal costs incurred by the Council in respect of each case and please identify those costs separately from the legal costs incurred.

Our response:

Please see document 1339a.xlsx attached for our external professional fees you have requested. Unfortunately, we do not record the information in a way that allows us to break it down in the to categories requested, though we have specified if it a plannign appeal or judicial review.

Regarding internal costs, we do not record the hours dedicated to individual pieces of work and as such do not hold the information you have requested.

The supply of information in response to a freedom of information request does not confer the right to re-use the information. UK copyright law allows information supplied for the purposes of private study and non-commercial research to be used without permission. Information supplied can also be re-used for the purposes of news reporting except for in the case of photographs.

### **GOING FORWARD**

If you are dissatisfied with the information supplied please feel free to contact me on the number above for any queries in relation to this response. Please note that in responding to further enquiries I can only comment on the information contained within this correspondence and cannot provide any further information that may pertain to an additional FOIA request.

Please remember to quote the Authority's four digit reference number given at the top of this email in any future communications.

If you remain dissatisfied following the conclusion of the above informal review, you have the right to ask for an internal review. A request for a review whether formal or informal should be submitted within two calendar months of the date of receipt of the response to your original letter and should be sent to [DPO@NWLeicestershire.gov.uk](mailto:DPO@NWLeicestershire.gov.uk) or the address above.

Further details on our appeals and complaints procedure can be found on our website [here](#).

If you remain dissatisfied following the conclusion of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at [accessicoinformation@ico.org.uk](mailto:accessicoinformation@ico.org.uk).

Yours sincerely

Mackenzie Keatley  
Information Governance Officer