

From: Sonia Bunn

Sent: 15 February 2018 16:36

To:

Subject: Re: FOI Request DA/12/00287/COU High Court Challenge

Dear

Freedom of Information Act 2000 - Request for Information

I am writing in respect of your enquiry dated 18th January for information held by the Council. Your enquiry is being dealt with under the Freedom of Information Act 2000 (the FOI Act).

1. You requested copies of the following documents relating to the High Court judgment case no C1/2016/1664 (attached to your enquiry email):
Statement of Grounds
Statement of Truth
Skeleton Argument
Secretary of State's Response to Dartford DC Statement of Grounds
2. The Council confirms that it holds the Statement of Truth as the Council's Witness Statement and the Skeleton Argument.
3. We are unsure however what you are referring to with regard to Statement Grounds and the Secretary of State's response to Dartford BC Statement of Grounds. Is this reference to the Grounds in Support of the application for permission to appeal to the Supreme Court and the "permission to appeal" given by the Secretary of State?
Please clarify this element of your request so that we can identify the information you are seeking.
4. The Council's and Secretary of State's Skeleton are available to view and download on the Council's website www.dartford.gov.uk via the Planning homepage and the search for planning applications via Public Access. If the reference number 12/00287 is inserted documents associated with the case can be accessed. This is the direct link to the list of documents associated with this application reference:
<https://publicaccess.dartford.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=M0IULXBQ00L00>
The Secretary of State's "permission to appeal" can also be reviewed here.
5. The Council's Witness statement is exempt by virtue of sections 32(1)(a) and (b) of the FOI Act. Release of the exempted information is refused on the ground that it is held only by virtue of being contained in documents filed with or otherwise placed on the custody of the court for the purposes of court proceedings or served upon or by a public authority for the purposes of court proceedings.

6. If you wish to object to my decision in the first instance, or if you are unhappy with the way in which your enquiry has been dealt with, you may ask for an internal review by initiating the Council's Corporate Complaints Procedure, details of which may be obtained by logging onto the Council's website <http://www.dartford.gov.uk> or telephoning or emailing me. Should you remain dissatisfied with the decision on internal review, you may appeal to the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.

I would be grateful if you would address any future correspondence you may have in relation to this matter, to me, quoting the reference number FOI 1102. Please familiarise yourself with the informative on the re-use of information.

Yours sincerely

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