

CORPORATE OVERVIEW AND SCRUTINY PANEL

MONDAY, 12TH SEPTEMBER, 2022

At 7.00 pm

In the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD AND ON [RBWM YOUTUBE](#)

SUPPLEMENTARY AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
	<u>WRITTEN ANSWERS TO QUESTIONS FROM MR ANDREW HILL</u>	3 - 4

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Written answer to Mr Andrew Hill

Questions from the meeting:

Was the land currently owned by the council?

Was the decision to put the land forward for planning permission one taken in conjunction with officers or Members of RBWM?

Did officers agree that for the press and public to be legitimately excluded from Part II discussions, that the answer needed to be 'no' to the two questions above?

Did the meeting contain any information which had to be disclosed under the Companies Act?

Officers needed to ensure that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, Mr Hill asked for confirmation that this was the case.

Written answer provided after the meeting by Emma Duncan, Director of Law & Governance and Monitoring Officer:

Thank you for your questions at the Corporate Overview and Scrutiny Panel for which responses have been provided below as a matter of courtesy. Please note, there is no provision under the Council's Constitution which allows Members of the Public to put questions to officers at meetings, as that is a matter for Members in line with our procedure rules. In future, in line with public rights to information, any questions asked to officers will be directed towards the appropriate disclosure process to ensure that the Council is able to respond appropriately and in line with statutory timelines.

Was the land currently owned by the council?

The information on the Council's land ownership is publicly available from <https://www.gov.uk/search-property-information-land-registry>

Was the decision to put the land forward for planning permission one taken in conjunction with officers or Members of RBWM?

Any property development proposal will be the subject of advice from professionally qualified officers and be the subject of a decision by Members.

Did officers agree that for the press and public to be legitimately excluded from Part II discussions, that the answer needed to be 'no' to the two questions above?

The reasons for the exemption are given on the agenda as follows:

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Condition:

Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under-(a)the Companies Acts (as defined in section 2 of the Companies Act 2006); (b)the Friendly Societies Act 1974; (c)the Friendly Societies Act 1992; (d)the Industrial and Provident Societies Acts 1965 to 1978; (e)the Building Societies Act 1986; or (f)the Charities Act 1993.

Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

Information which-(a)falls within any of paragraphs 1 to 7 above; and (b)is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Did the meeting contain any information which had to be disclosed under the Companies Act?

The contents of the report are exempt information.

Officer needed to ensure that the public interest in maintaining the exemption outweighed the public interest in disclosing the information, Mr Hill asked for confirmation that this was the case.

This was answered at the meeting.