

**Freedom of Information Act 2000 (FOIA)
Environmental Information Regulations 2004 (EIR)**

Decision notice

Date: 17 March 2015

Public Authority: London Borough of Camden
Address: Town Hall
Judd Street
London
WC1H 9JE

Decision (including any steps ordered)

1. The complainant has made a number of requests to the London Borough of Camden (the Council) for information relating to the North London Waste Plan. Some of these were complied with by the Council to the complainant's satisfaction. However, the complainant has asked the Commissioner to consider three requests in response to which the Council has explained that it does not hold further information and one request where the Council withheld the requested information under the 'course of justice' (regulation 12(5)(b)) exception in the EIR. On the not-held question, the Commissioner has decided on the balance of probabilities that the Council has provided all relevant records and therefore discharged its obligations under the EIR. With regard to the fourth request and the application of regulation 12(5)(b), the Commissioner has found that the exception is not engaged. He therefore requires the Council to disclose the information to ensure compliance with the legislation.
2. The public authority must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

3. The complaint derives from the requests for information that were handled by the Council under the case reference numbers: 8291822, 8344128, 8349577 and 835266. These were made on 14 February 2013, 15 March 2013, 18 March 2013 and 19 March 2013 respectively.
4. The Council originally refused to comply with the four sets of requests on the basis that to do so would be manifestly unreasonable for the purposes of regulation 12(4)(b) of the EIR. However, at the advice of the Commissioner in response to a complaint about the refusal, the Council agreed to withdraw its reliance on the exception and provide instead a revised response to the requests. It is the issues arising from the Council's revised response, dated 7 November 2013, and the subsequent internal review, dated 4 February 2014, which form the basis of the present case.
5. The complete wording of the requests is reproduced in the annex attached to this notice.

Scope of the case

6. The complainant contacted the Commissioner to complain about the Council's handling of parts of the requests dealt with by the Council under the references 829112, 834128, 8349577 and 8352566. The Commissioner addresses each of these items in turn below.

Reasons for decision

Background

7. The information requests relate to a proposal for the preparation of a North London Waste Plan (NLWP). The NLWP's website¹ gives the following information about the proposal:

The seven north London Local Planning Authorities of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest ('North

¹ <http://www.nlwp.net/>

London Boroughs') have joined forces to prepare the North London Waste Plan.

The North London Waste Plan (NLWP) will set out the planning framework for waste management in the North London Boroughs for the next 15 years. It will identify sites for waste management use and set out policies for determining waste planning applications.

A previous version of the NLWP was submitted to an inspector in 2012 who concluded that the plan failed to meet the Duty to Co-operate which came into force during the final stages of the plan making process. Boroughs have agreed to start work on a new waste plan in order to be able to meet the duty to co-operate.

8. With regard to the determination that the NLWP failed to meet the Duty to Co-operate, the website provides the following context:

The North London Waste Plan was submitted for an independent examination on Tuesday 28th February 2012. Andrew Mead BSc (Hons) MRTPI MIQ was appointed to conduct the Examination.

The Inspector issued a paper [dated 31 August 2012] setting out his conclusions that the North London Councils had not fulfilled the legal requirement of the Duty to Co-operate under S33A of the Planning and Compulsory and Purchase Act 2004 Act in the preparation of the North London Waste Plan. In his paper the Inspector gave the Boroughs two choices for ending the examination – either to ask the Inspector to write his report, which would recommend non-approval of the Plan, or to withdraw the Plan.

The Boroughs have chosen the option of asking the Inspector to write his report recommending non-adoption. The Inspector issued this final report on 14th March 2013. As a result, the examination of the Plan is now closed.

The Boroughs have agreed to start work on a new waste plan in order to be able to meet the duty to co-operate and have been in touch with everyone who sent in representations on the old plan.

The relevant access-regime

9. The complainant has not challenged the Council's decision to process the information requests under the EIR. The Commissioner similarly accepts that the EIR applies. He considers that information relating to a waste management strategy falls under the definition of environmental information set out at regulation 2(1)(c) of the EIR. This refers to measures, including plans, which affect or are likely to affect the environmental elements and factors in regulations 2(1)(a) and (b).

Among other things, the environmental elements take in the land, air and atmosphere and the environmental factors cover discharges and other releases into the environment.

829112 (minutes for Planning Officer Group (POG) meetings) – 14 February 2013

10. The complaint relating to 829112 is as follows:

- a) The Council has stated that a POG meeting was not held on 14 October 2008 or 7 June 2011 (the original scheduled dates). However, the complainant considers this explanation does not rule out the possibility that each of the meetings was rearranged for another date, the minutes for which should have been identified and provided.
- b) The complainant disputes the Council's claim that it does not hold any minutes for the POG meetings that sat in 2012.

11. The EIR gives members of the public a right of access to official information held by a public authority except where that information is subject to an exception to disclosure. This right is specifically set out at regulation 5(1), which provides that a public authority holding information shall make it available upon request. The provision must however be read in conjunction with regulation 12(4)(a), which states that a public authority may refuse to disclose information to the extent that it does not hold that information when an applicant's request is received.

12. It is understood that where there is a dispute about whether or not information is held there will be situations in which it is not possible practically speaking to make a decision that is beyond any doubt. Therefore, in the absence of absolute certainty, the Commissioner will apply the civil standard of the balance of probabilities. A decision on where the balance lies will weigh up the thoroughness of any searches carried out and, or any other explanations offered by the public authority to demonstrate why it can be confident the requested information is not held.

13. The Council has provided the complainant with copies of minutes of a number of POG meetings. However, the complainant is concerned by what he considers are gaps in the information. The Commissioner has therefore asked the Council to describe the searches that have been carried out for the information, including confirmation of where minutes of POG meetings are normally retained and the officials contacted about the requests.

14. In response the Council has explained that POG minutes are kept in a specific folder within a larger NLWP electronic file. The Council produced during the investigation a list of the relevant POG meetings held in 2008 (7) and 2011 (4) and following a review of the file by the Programme manager confirmed that no minutes had been produced for the meetings in 2012. For completeness the Council advised that it had not destroyed any minutes for these meetings.
15. With regard to part a) of the complaint, the Council has explained that there are no records for meetings of 14 October 2008 and 7 June 2011 as the meetings were cancelled. It states that there may be various reasons for cancelling meetings, such as there being insufficient business to address, expected reports are not ready, and because of illness and the non-availability of key people. Where the circumstances demand it, meetings will be rearranged at a later date.
16. The Council has advised that in this case the meetings of 14 October 2008 and 7 June 2011 were rearranged for 11 November 2008 and 26 July 2011 respectively, confirming that the corresponding meeting minutes have been disclosed. The Programme Manager was also consulted about the sequence of meetings and the relevant information held. This has led it to conclude that any information held that is relevant to the requests has been provided.
17. With regard to part b), the Council has confirmed that POG meetings were held on 3 April, 9 May, 30 May and 9 October 2012. However, as stated, it considers that no minutes were produced for the meetings and therefore it is unable to provide the requested information. The Council accepts it is not unreasonable from a good practice viewpoint for the complainant to expect that minutes or similar records of the meetings would be kept. However, this in itself does not have a bearing on whether the information is *held* for the purposes of the EIR.
18. To illustrate why minutes were not produced for POG meetings that took place in 2012, in contrast with the recording of POG meetings in earlier years, the Council has provided the following explanation:

[...] the nature of the meetings in April, May(x2) and then October 2012 being final preparation for the examination in public hearings and then discussing the findings produced no minutes. This decision was taken by the Programme Manager on his own initiative and so there is no record of this decision. The Programme Manager took this decision because of a need to prioritise limited resources during the period leading up to the public examination. He was the only person working on behalf of the seven boroughs at an incredibly busy time for the NLWP preparing for the impending public examination, meeting with key stakeholders to agree positions of common ground and negotiating any changes to the

plan in the run up to the hearings. The meetings were in quite close succession on 3rd April, 9th May and 30th May and were "rolling" meetings to prepare the Council's case for examination. In this way the meetings could be said to be distinguishable in nature. Resources were concentrated on the further arrangements necessary for the hearings following the meetings. The meeting on 9th October was concerned with the follow up to the examination when the NLWP was found not to meet the legal "duty to co-operate" and again the Programme Manager decided to spend his time on considering his options on how the Council should move forward after this. The Boroughs recognised there was too much work for one person and an additional officer was employed shortly after to assist the Programme Manager.

19. The Commissioner considers that the complainant has well-argued grounds for believing that the Council would hold further information. In relation to part a) of the complaint, the complainant has calculated that in a period spanning just over three years there appears to have been seven cancelled meetings. In his view this seems an extraordinarily high number of cancellations, running at a rate of about 20% - 25%, for such an important project of national significance. Furthermore, the complainant considers the pattern of the meetings is inconsistent, in that there were only four meetings in 2011, when the project was approaching a key stage in the process, but seven in 2008 when the project was at a much earlier stage. To the complainant's mind, the combination of these factors indicates a reasonable possibility that additional information should be, and in fact is, held.
20. With reference to part b) of the complaint, the complainant again presents cogent submissions for finding that minutes for the POG meetings in 2012 would be held. The arguments supporting this position are four-fold. Firstly, the complainant considers that the decision not to take minutes must have been done with the consent of all the participants at the meetings; something he considers is unlikely given the magnitude and importance of the issues under discussion. Secondly, it is noted that the North London Waste Authority has standing instructions to take minutes for formal minutes and the complainant assumes that the same convention would likely cover POG meetings. Thirdly, it is argued that the pressing nature of the business meant there would have been a greater incentive to produce minutes, not less. Fourthly, the complainant considers it telling that the Council only provided its not-held explanation fairly late in the request-handling process. The effect of these arguments would again lend weight to the position that the Council did hold information covered by the scope of the request.
21. As stated previously, the Commissioner will decide on the balance of probabilities whether the requested information is held. The effect of this

test is that the Commissioner does not need to be absolutely certain one way or the other to make a finding. Rather, any decision will be based on whether a public authority's claim that it does not hold information seems more probable than not in the circumstances. In this case the complainant has advanced what the Commissioner considers are entirely plausible grounds in support of the view that additional information is held. However, the Commissioner also considers he has not seen or been provided with any specific evidence that would directly undermine or contradict the Council's explanations. In his view, this position is supported by the papers provided by the complainant that reference a separate request made to the Enfield Council, a partner in the NLWP project, for copies of 2012 POG minutes. No minutes were seemingly identified in response and Enfield Council confirmed that the responsibility for taking, preparing and circulating minutes lay solely with the Programme Manager.

22. In his correspondence with the complainant, the Commissioner acknowledged that any failure by a public authority to keep a complete audit trail of discussions and decision-making will be unhelpful, particularly where the implications of the subject matter are far reaching. He went on to highlight that the importance of good records management is expressed in the Lord Chancellor's Code of Practice issued under section 46 of FOIA (the Section 46 Code). At paragraph (v) of the foreword to the Section 46 Code, the Lord Chancellor reminds us that "Records and information are the lifeblood of any organisation. They are the basis on which decisions are made, services provided and policies developed and communicated." The Section 46 Code states, among other points, that a public authority must consider the risks attached to not having recorded information that allows reference to be made to authoritative information about past actions and decisions. Furthermore, a complete audit trail should enable a public authority to explain, and if necessary justify, past actions in the event of an audit, public inquiry or other investigation.
23. The EIR, however, is only concerned with *recorded* information and to this extent poor records management does not in itself represent a breach of the legislation. Taking into account all of the submissions provided, the Commissioner has concluded that on the balance of the probabilities the Council does not hold the requested information. In coming to this finding, the Commissioner has reflected on the complainant's additional argument that in the absence of formal minutes he should be provided instead with contemporaneous notes produced at the meetings. However, following the approach adopted by the

Information Tribunal in *Berend*², the Commissioner disagrees with this analysis.

24. In the *Berend* case the public authority made a distinction between minutes and notes taken by a minute taker from which the minutes were to be produced. The Tribunal clarified that minutes would be in a "readable format for circulation to members and contain [...] conclusions, action points and certain formalities; the handwritten, contemporaneous notes would contain a semi-continuous record of the points made in the debate and other information the writer felt it was necessary to record at the time" (paragraph 94). The Tribunal was satisfied that the contemporaneous notes were not minutes. The Commissioner has applied the same principle in this situation and affirms his view that the requested information is not held.

8344128 (schedule C scores) – 15 March 2013

8352566 (19 September 2007 meeting minutes) – 19 March 2013

25. The complaint relating to 8344128 and 8352566 is as follows:

- The Council has provided information in response to the requests. However, the complainant is concerned that its formatting raises the possibility that not all of the pertinent information has been captured and supplied because of the way in which the information was provided.
26. The initial source of the complaint to the Commissioner related to the Council's decision to provide information captured by the requests in a PDF format rather than supplying original copies of the documents in question. In the complainant's view this opened up the possibility that the Council, whether inadvertently or deliberately, had omitted relevant information during the formatting process.
27. During the course of the investigation the Council agreed to provide the documents in question to the complainant in a format that was deemed more satisfactory. However, the complainant maintains there remains doubt over whether the Council has actually provided the correct version of the information covered by the requests. This is because the time stamps of the documents indicate they had been modified since the original creation of the document in question.

² <http://www.informationtribunal.gov.uk/DBFiles/Decision/i141/Berend.pdf>

28. The Council, in contrast, strongly refutes the suggestion that it has modified the documents and, or is deliberately withholding relevant information. In the Council's view it is erroneous to link what it considers are simply concerns over 'save' dates with a conclusion that the requested information has not been provided. In this regard the Council has categorically stated that the information provided and the information subject to the requests is one and the same.
29. The Commissioner considers that, in essence, the issue being argued is whether there was additional information contained in the requested documents that has not been provided. The relevant test to be applied is therefore again whether on the balance of probabilities the Council holds additional information.
30. On the one hand, it is understandable why the complainant would want the completeness of the Council's response to be checked when in his view the electronic time stamps of the documents do not correspond with the date that the documents were meant to have been created. On the other hand, the Council rejects the claim that the electronic metadata is evidence that the content of the documents had been in any way modified and maintains that the original information has been provided in response to the requests.
31. The Commissioner considers that ultimately the EIR entitles an applicant to be provided with the information he or she has requested and not necessarily a copy of the document containing that information. In this case the Commissioner has found it reasonable to conclude that the Council has supplied the complainant with the relevant information it holds and has therefore discharged its obligations for the purposes of the legislation.

8349577 (information relating to legal commission) – 18 March 2013

- The complainant disputes the Council's application of the course of justice (regulation 12(5)(b)) exception in the EIR. He has also queried whether the Council identified the correct information captured by the request.
32. As evidenced by the wording of the request itself, the complainant's application for information was prompted by POG minutes for a meeting held on 15 February 2011. Under part 3(b) of the Planning section, the minutes refer to concerns expressed about the analysis of site scores contained in a Technical Report and confirmed that the process for getting legal advice had been set in motion. The complainant asked for a copy of the commissioning of the legal advice and information relating to the provision of this legal advice.

33. To put the commissioning of the legal advice into context, the Council has explained that this action was carried out on behalf of the seven boroughs involved with the NLWP. The instruction of legal advice from counsel was on an on-going basis to advise prior to and beyond the submission of the draft waste plan. The Council has clarified that the generality of the instructions meant that the commissioning of legal advice did not specifically cover the site scores.
34. The complainant considers that this explanation appears to contradict the statement referred to in the aforementioned POG minutes about requiring specific legal advice on the site scores issue. He has therefore raised the possibility that there may be more than one legal commission and the Council has confused these for the purposes of the request. In response, the Council has explicitly denied that legal advice was sought on the site scores following the POG meeting of 15 February 2011. Rather, it advised that the intention to secure wider legal advice in preparation for the submission for the NLWP had always been part of the project plan.
35. The Commissioner is satisfied on the basis of the Council's explanation that the legal commissioning relevant to the request has been correctly identified. He has therefore gone on to consider the Council's reliance on the course of justice (regulation 12(5)(b)) exception to withhold information it considers is captured by the request.
36. Regulation 12(5)(b) of the EIR states that a public authority may refuse to disclose information to the extent that its disclosure would adversely affect –

"the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature"

37. The successful application of the exception is dependent on a public authority being able to demonstrate that the following three conditions are met; (1) the withheld information relates to one or more of the factors described in the exception, (2) disclosure would have an adverse effect on one or more of the factors cited, and (3) the public interest in maintaining the exception outweighs the public interest in disclosure. When considering the public interest arguments, a public authority must take account of the express presumption in favour of disclosure (regulation 12(2)) that exists in the EIR.
38. It has been accepted in previous decisions of the Commissioner and differently constituted Information Tribunals that regulation 12(5)(b) of the EIR shares common ground with section 42 of FOIA, in that both may cover information that attracts legal professional privilege.

However, in contrast to section 42, a public authority seeking to apply regulation 12(5)(b) must take the additional step of demonstrating that disclosure would adversely affect the course of justice.

39. It may be the case that disclosure will have an adverse effect on the course of justice simply by virtue of the weakening of the vital concept of legal professional privilege. However, the Upper Tribunal in *GW v Information Commissioner & Local Government Ombudsman & Sandwell MBC [2014] UKUT 0130 (AAC)*³ decided that this should not be an automatic assumption. Rather, at paragraph 43 Judge Turnbull confirmed that testing whether there would be an adverse effect "requires attention to be focused on all the circumstances of the particular case, and there is no room for an absolute rule that disclosure of legally privileged information will necessarily affect the course of justice."
40. In this case the withheld information can broadly be described as an email chain recording the process of securing legal counsel, a letter from the Council to counsel's chambers in anticipation of a meeting, and a note arising from this meeting.
41. The Council has argued that to disclose the withheld information would adversely affect the course of justice, in that it would undermine the general principle of legal professional privilege and the administration of justice. In forming this view, the Council acknowledged that following previous Upper Tribunal decisions it is not a foregone conclusion that disclosure of privileged information would adversely affect the course of justice. However, it argues that in the specific circumstances of this case disclosure would weaken the general efficacy of legal professional privilege. In this regard the Council considers that at the material time there were "no special or unusual factors which would have justified the Council and its legal advisors in thinking, were disclosure in this case to be directed, that they would not be at risk, in the broad generality of cases, of having to disclose communications seeking or giving legal advice."
42. There are two types of privilege within the concept of legal professional privilege; litigation privilege and advice privilege. The category of privilege which the Council considers applies is advice privilege. This covers communications between a client and lawyer, made for the dominant purpose of seeking or giving legal advice, where no litigation is in progress or contemplated. Advice privilege will also extend to any

³ <http://www.osspsc.gov.uk/judgmentfiles/j4159/GIA%204279%202012-01.doc>

part of a document which evidences the substance of such a communication.

43. For information to attract legal advice privilege it must constitute communications between the client and lawyer, made for the dominant purpose of seeking or giving legal advice. In this case the client would be the Council, with the legal adviser represented by counsel. As referred to previously, the information withheld in response to the request can be split into three categories; an email chain recording the securing of legal counsel, a letter from the Council to counsel's chambers in anticipation of a meeting, and a note arising from this meeting.
44. The Commissioner considers that taken in isolation it is arguable whether all of the emails relating to the Council's engagement of legal advice would be subject to legal advice privilege. This is because they do not signify an act of seeking legal advice but rather represent administrative decisions relating to the selection of counsel. However, the Commissioner considers that the correspondence must be seen in the wider context of instructing counsel and so has not found it necessary to separate out his considerations of the information. On this basis the Commissioner is satisfied that the information was either produced with the purpose of seeking legal advice or evidences a meeting at which legal input was received. It therefore follows that the information attracts legal advice privilege.
45. As stated, however, regulation 12(5)(b) of the EIR differs from section 42 of FOIA in that the exception will not automatically be engaged where legal advice privilege applies. Rather, a public authority must go on to consider whether there would be an adverse effect as a result of the disclosure of the withheld information.
46. The Information Tribunal in *Archer v the Information Commissioner and Salisbury District Council* (EA/2006/0037)⁴ confirmed that the threshold for finding that the exception is engaged on the basis of an adverse effect is a high one. Firstly, the Tribunal identified it is not enough that disclosure should simply have an effect, the effect must be adverse. Secondly, refusal to disclose is only permitted to the extent of that adverse effect. Thirdly, it is necessary for the public authority to demonstrate that disclosure 'would' have an adverse effect, not that it could or might have such an effect. In other words, the adverse effect must be more probable than not.

⁴ <http://www.informationtribunal.gov.uk/DBFiles/Decision/i23/Archer.pdf>

47. Having reviewed the Council's submissions alongside the withheld information, the Commissioner does not consider that the adverse effect test has been met in this case. In the Commissioner's view the generality of the instructions upon which legal advice was sought weakens any claim that the withheld information could be exploited by a third party to the detriment of the Council. Equally, the Council has not directed the Commissioner to any part of the information that it considers is particularly sensitive in the circumstances. In short, there is no evidence that there would be an adverse effect to the Council and the course of justice. Furthermore, the Commissioner does not accept that disclosure of the information in question here would serve to deter parties from seeking specific legal advice in the future, a potential outcome that if it did occur could well harm the course of justice.
48. Although not a decisive factor, the Commissioner has also acknowledged that the request was made after the inspector had produced both his initial and final report which found that the NLWP had not fulfilled the legal requirement of the Duty to Co-operate. In certain circumstances information subject to legal privilege can become 'stale', meaning that it loses any weight or significance it once had with the result that there would be no detriment to a party through disclosure. The Commissioner considers that this is unlikely to have happened in this case, given that the request was made only a matter of days after the inspector's final report was issued. Nevertheless, the Commissioner considers that the provision of the report marked a new phase in the NLWP project and therefore any consideration of an adverse effect must be seen in this light.
49. For these reasons the Commissioner has concluded that in the circumstances there is insufficient evidence to find that there would be an adverse effect, meaning that regulation 12(5)(b) is not engaged. The effect of this finding is that the Commissioner has not had to go on to consider the third condition attached to the application of the exception, namely the consideration of the public interest test.

Right of appeal

50. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

51. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
52. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Gerrard Tracey
Principal Policy Adviser
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex – schedule of requests (chronological)

82918222 (minutes for Planning Officer Group (POG) meetings) – 14 February 2013

Your response to my question (d) regarding a series of meeting did not actually answer the question specifically but offered a response in kind by providing copies of a series of meeting minutes. I have reviewed the audit trail set out in this series of meeting and my review has generated a number of questions and requests:

(a) the minutes of meeting 15th July 2008 states that there will be a meeting on 14th October 2008 (@10 a.m.). The minutes of the meeting on 11th November suggest that the October meeting was not held – can you confirm that this is the case?

(b) the minutes of meeting 8th September July 2009 states that there will be a meeting on 13th October 2009 but likely to be cancelled. Can you confirm that this meeting was not held?

(c) you sent meeting minutes dated 18 April 2010 but I believe that these meeting minutes are for a meeting held on 18th May 2010. Can you please confirm that this is correct?

(d) the meeting minutes dated 18th April (see c above) refer to a future meeting dated 6th July 2010. Can you confirm that this meeting was held and, if so, please send a copy of the meeting minutes.

(e) various meeting minutes initially suggested that there was a meeting scheduled for the 7th December 2010 but it appears that this meeting was not held – can you confirm that this is correct?

(f) the meeting minutes for the 15th February 2011 suggest that there was a meeting scheduled for 7th June 2011. The matters reported in the meeting minutes of the 26th July 2011 suggest that a meeting was held on the 7th June 2011. Please send a copy of the meeting minutes for the 7th June 2011.

(g) In the meeting minutes for the 6th October 2011, there is reference to a meeting on 6th December 2011 – please send the meeting minutes for 6th December 2011.

(h) You have not supplied any meeting minutes for any meetings held in 2012. Please advise when POG meetings were held in 2012 and supply copies of the meeting minutes of all such meetings.

8344128 (schedule C scores) – 15 March 2013

Camden Council recently provided a response to FoI 8243376. This FoI dealt with a number of questions about the dramatic change in the site score for Pinkham Way between the initial assessment by Mouchel Consultants and the published version in October 2009. The response to FoI 82433767 included a single sheet entitled Schedule C Scores. This sheet was included in the response to show the site assessment score for Pinkham Way as '99 at the date of 12th March 2009. It was suggested that this single sheet was made for Heads of Planning on 12th March 2009. Please supply the following:

(a) If other versions of the 'Schedule C Scores' were prepared earlier, for supply to the Heads of Planning, please supply copies of these earlier documents.

(b) If the Schedule C Scores sheet was part of a larger document, insofar as the larger document is relevant to the NLWP and Pinkham Way, please supply a copy, redacted if appropriate.

(c) If the Schedule C Scores of the 12 March 2009 was supplied to Heads of Planning to inform a meeting, please supply minutes of the relevant meeting.

(d) Please also supply a copy of the minutes of the Heads of Planning meeting prior to the meeting referred to in (c) above.

8349577 (information relating to legal commission) – 18 March 2013

This request refers to the NLWP Planning Officers Group Meeting held on the 15th February 2011. The minutes of this meeting state, under the Heading "Proposals for Revising Technical Report", that [redacted] said the following: "that he was concerned at the potential problems that would be caused if lawyers started pouring over site scores in the Technical Report and that as a result he was setting in motion hiring some legal advice"

1. Please provide a copy of the commissioning document(s) (or similar such briefing documents) provided to the 'legal advisor' hired by [redacted] on behalf of the NLWP.

2. Please provide a copy of the deliverables from this commission or, if appropriate, a copy of any document(s) which records the discussions held with the hired legal advisor. Such documents may be a Report, minutes of a meeting, or notes of a meeting.

8352566 (19 September 2007 meeting minutes) – 19 March 2013

Earlier this year, the [redacted] released to me a document entitled "NLWP NLWA Relationship". [Redacted] suggested that he had written the document on 10th October 2008.

In the document, there are references to two meetings between the NLWP and the NLWA:

Meeting 19th September 2007

Meeting 27th May 2008

[Redacted] attended both meetings.

Please provide copies of the minutes of these two meetings.