

## **PART 8**

### **SECTION A: Summary and Statutory Rights of Inspection of Documents**

## 1. Table of Abbreviations

- 1.1 The following table is a summary of the public's rights to inspect and copy documents under legislation other than Parts V.A. and XI of the Local Government Act 1972. For details of the rights of inspection governed by the Local Government Act 1972, please refer to the Access to Information Rules set out in Section D of Part 4 of this Constitution.
- 1.2 The Council has also adopted a Publication Scheme under the Freedom of Information Act 2000 which describes the categories of information that the Council routinely published and to which the public have access in accordance with the terms of the Scheme. The Scheme overlaps to a degree with other rights of access including the following statutory rights. Nevertheless, the Scheme is self contained and should be read separately as it may be that information not available to the public by express statutory provision will be made available under the terms of the Scheme. The Publication Scheme and the majority of information covered by the Scheme can be found on the Council's web site [www.chiltern.gov.uk](http://www.chiltern.gov.uk).
- 1.3 The office to which requests to see any of the documents referred to below should be made, is shown in the left-hand column of the table by the following abbreviations:

|      |  |
|------|--|
| CE   | - Chief Executive  |
| DR   | - Director of Resources  |
| DS   | - Director of Services   |
| BCM  | - Building Control Manager   |
| HE   | - Head of Environment  |
| HF   | - Head of Finance  |
| HHC  | - Head of Healthy Communities  |
| HLDS | - Head of Legal and Democratic Services  |
| HSD  | - Head of Planning & Economic Development  |
| HBS  | - Head of Business Support   |
| HCS  | - Head of Customer Services  |
| BCC  | - Indicates that this is a function of the Buckinghamshire County Council and enquiries should be made initially at County Hall, Aylesbury Bucks (tel: 01296 3950000). |

- 1.4 A fee may be payable for inspection or copying of certain documents and, if so, this fact is stated in the text. Unless the law requires otherwise, charges will be the same as those required by the Council for copies of Committee papers etc.

## 2. Financial Matters

| Matter  | Contact Officer                                       |
|---|---|
| <p><b>FINANCIAL</b></p> <p><u>Local Government Finance Act 1988- Schedule 9. Para 8</u></p> <p>In relation to the National Non-Domestic Rate a person may inspect:</p> <ol style="list-style-type: none"> <li>1) a list (valuation list) currently in force or a list in force at any time in the preceding 5 years;</li> <li>2) any proposal made or notice of appeal given under regulations made under Section 55 of the above Act, if made or given as regards a list currently in force or a list in force at any time in the preceding 5 years;</li> <li>3) minutes of the proceedings of a Valuation Tribunal;</li> <li>4) a copy of a proposed list not yet in force.</li> </ol> <p><u>Social Security Administration Act 1992, Social Security Contributions and Benefits Act 1992, Housing Benefits (General) Regulations 1987 and Council Tax Benefit (General) Regulations 1992.</u></p> <p>This requires local authorities granting Housing and Council Tax Benefit to:</p> <ol style="list-style-type: none"> <li>1) take appropriate steps to ensure that people with a potential entitlement to Housing and Council Tax Benefit are aware of the provisions for help; and</li> <li>2) make a copy of the schemes (that is, the statutory schemes and any local variations) available for inspection without charge at their principal office at reasonable hours.</li> </ol> <p><u>Local Government Finance Act 1992 –Section 28(2)</u></p> <p>Rights of Inspection of Valuation Lists.</p> <p>A person may require a billing authority to give him/her access to such information as will enable him/her to establish what is the state of a copy of a list or has been its state if the list is in force or has been in force at any time in the preceding five years.</p> <p>There is a right to make or require to be made copies or a transcript of extracts from the valuation list. The billing authority can impose a reasonable charge for their services. Refusal to pay entitles the Authority to decline to provide a copy or transcript.</p> | <p><b>HCS</b></p> <p><b>HCS</b></p> <p><b>HCS</b></p> |
| <p><u>Local Government Finance Act 1992 –Section 29</u></p> <p>A person may, on payment of a reasonable charge:</p> <ol style="list-style-type: none"> <li>1) make copies of a document relating to proposals and appeals; or</li> <li>2) require the person having custody of such a document to provide him</li> </ol>  | <p><b>HF</b></p>                                      |

| <b>Matter</b>  | <b>Contact Officer</b> |
|--|------------------------|
| <p>with a photographic copy.</p> <p><u>Local Audit and Accountability Act 2014</u></p> <p>Where an auditor has sent an immediate report to the Council or its Chairman, a member of the public has the right to inspect the report free of charge and can, on the payment of a reasonable sum, require a copy of the report or part of it, to be supplied to him.</p>  | <b>HF</b>              |
| <p><u>Local Audit and Accountability Act 2014</u></p> <p>Any local government elector for the area of a local authority whose accounts have to be audited in accordance with this Act has the right to see and make copies of:</p> <ol style="list-style-type: none"> <li>1) any statement of account</li> <li>2) any report made by the auditor to the local authority</li> </ol> <p>and can on payment of a reasonable fee require copies of the statement or report to be delivered to him.</p>   | <b>HF</b>              |
| <p><u>Local Audit and Accountability Act 2014</u></p> <p>Members of the public generally have the right to inspect and make copies of the accounts of a local authority which are subject to audit by the Audit Commission, together with associated documents.</p>  | <b>HF</b>              |
| <p><u>Local Audit and Accountability Act 2014</u></p> <p>Where a local authority officer receives any money or other property on behalf of the authority the accounts of that officer are available for the public to inspect.</p>   | <b>HF</b>              |
| <p><u>Section 18 Local Government and Housing Act 1989 and the Local Authorities (Members' Allowances) (England) Regulations 2003</u></p> <p>These Regulations require the Council to annually determine and publish within the district, a Scheme of Allowances for Councillors, having taken into account the report and recommendations of an independently constituted Allowances Panel. The report of the Panel and the Scheme of Allowances made are available for public inspection at all reasonable office hours and copies must be supplied on payment of a reasonable fee. The amounts paid to Councillors under the Scheme must also be published annually</p> | <b>HLDS</b>            |

### 3. Health and Environment Matters

| Matter  | Contact Officer  |
|---|--|
| <p><b>HEALTH &amp; ENVIRONMENT</b></p> <p><u>Environmental Protection Act 1990 – Section 20(7)</u></p> <p>Imposes a duty on the Council to keep available for public inspection at their main office at all reasonable hours a register relating to applications for and the grant of authorisations in respect of “prescribed” processes. (Activities capable of causing pollution to the environment). Copies of entries on the register may be obtained on payment of a reasonable fee.</p> <p><u>Environmental Protection Act 1990 – Section 64(7)</u></p> <p>Members of the public have the right to see at the main office of the Council at all reasonable hours the noise level register which contains a record of measurement of the level of noise emanating from premises within a noise abatement zone. Copies of entries on the register may be obtained on payment of a reasonable fee.</p> <p><u>Environmental Protection Act 1990 – Section 78R(8)</u></p> <p>Imposes a duty on the Council to keep available for public inspection at their main office at all reasonable hours a register relating to remediation notices, appeals against remediation notices and remediation statements or declarations in respect of contaminated land. Copies of entries on the register may be obtained on payment of a reasonable fee.</p> <p><u>Environmental Protection Act 1990 – Section 95</u></p> <p>Imposes a duty on the Council to keep available for public inspection at their main office at all reasonable hours a register relating to land designated as Litter Control Areas which also contains copies of Street Litter Control Notices which have been issued by the Council. Copies of entries on the register can be obtained on payment of a reasonable fee.</p> <p><u>Environmental Protection Act 1990 –Section 149(8)</u></p> <p>A register containing prescribed particulars relating to dogs which have been seized because they were straying.</p> <p><u>Wildlife and Countryside Act 1981- Section 57(5)</u></p> <p>This requires the County Council to keep definitive maps and statements showing public rights of way along footpaths, bridleways, roads used as public paths and bye-ways open to all traffic. These maps are open to public inspection free of charge at all reasonable hours and are available at one or more places in each District within the County – including the CDC main office.</p> | <p><b>HHC</b></p> <p><b>HHC</b></p> <p><b>HHC</b></p> <p><b>HHC</b></p> <p><b>HHC</b></p> <p><b>HHC</b></p> <p><b>BCC/HE</b></p> |

| <b>Matter</b>   | <b>Contact Officer</b> |
|---|------------------------|
| <p><u>Wildlife and Countryside Act 1981 - Paragraph 3(8)(a) of Schedule 15</u></p> <p>Members of the public may at all reasonable hours inspect and take copies of any documents which the County Council took into account in preparing an Order to modify the definitive map. This right exists at any time after the publication of the Modification Notice and before the expiration of the period specified in the Notice.</p>   | <b>BCC</b>             |
| <p><u>Radioactive Substances Act 1993 – Section 39</u></p> <p>County and District Council required to keep documents provided to it by the Environment Agency. Public are entitled to inspect the documents at all reasonable times and obtain copies on the payment of a reasonable fee, unless the Environment Agency has directed that a document is not available for public inspection.</p>  | <b>HHC</b>             |
| <p><u>Water Industry Act 1991 - Section 200</u></p> <p>Imposes a duty on the Council to make available for public inspection the sewer maps deposited with them by Sewerage Undertakers. Members of the public may inspect the map at all reasonable hours free of charge.</p>  | <b>HE</b>              |
| <p><u>Reservoirs Act 1975- Section 2(2)</u></p> <p>Members of the public have the right to see the register maintained by the County Council which shows the large raised reservoirs in their area and Information about each of them. The register is kept at the principal office of the County Council and is open for inspection at all reasonable hours.</p>   | <b>BCC</b>             |
| <p><u>Food Safety Act 1990-Section 5(1) and Food Premises (Registration) Regulations 1991</u></p> <p>A register of Food Premises and proprietors maintained by the Council. A police constable or an authorised officer of a number of specified authorities may inspect the register and a copy of the register or an entry in it shall be sent or given to such a person if he reasonably requests it. The register shall also be open to inspection by the public and the Council may give or send a copy of the register or entry in it. A charge (at the Council's discretion) may be imposed.</p> | <b>HHC</b>             |
| <p><u>Clean Air Act 1993 - Section 38(5)</u></p> <p>A register of information on atmospheric pollution maintained by the Council. It must be open for inspection at the Council's principal office during all reasonable hours free of charge. Copies of entries on the register can be obtained on payment of a reasonable fee.</p>  | <b>HHC</b>             |
| <p><u>Control of Atmospheric Pollution (Research and Publicity) Regulations 1977 and Environmental Information Regulations 2004</u></p>   |                        |

| <b>Matter</b>  | <b>Contact Officer</b> |
|--|------------------------|
| <p>These regulations make provision for public access to certain environmental information held by the Council.</p>  | <b>HHC</b>             |
| <p><u>Hazardous Substances Act 1990 – Section 28</u></p> <p>A register of applications for hazardous substances consent made to the Council. It must be open for inspection during all reasonable hours free of charge. Copies of entries on the register can be obtained on payment of a reasonable fee.</p>                                      | <b>HHC</b>             |
| <p><u>The Environment and Safety Information Act 1988</u></p> <p>A register of notices served by the Council in relation to health, safety and environmental protection. It must be open for public inspection during all reasonable hours free of charge. Copies of entries on the register can be obtained on payment of a reasonable fee.</p>   | <b>HHC</b>             |
| <p><u>Private Water Supply Regulations 1991</u></p> <p>A register containing details of private water supplies within the district area including the results of all water samples taken. It must be open for inspection during all reasonable hours charge. Copies of entries on the register can be obtained on payment of a reasonable fee.</p> | <b>HHC</b>             |

## 4. Highways Matters

| Matter  | Contact Officer |
|---|-----------------|
| <p><b>HIGHWAYS</b></p> <p><u>Highways (Inquiries Procedure) Rules 1994 - Rule 6(2)</u></p> <p>These rules govern Local Inquiries relating to the construction and improvement of trunk, special and side roads and associated works. Members of the public who have been served with a Notice of the proposed construction/improvement and who have objected to it may inspect and where practicable take copies of the promoting authority's statement and supporting documents which will be referred to at the Inquiry.</p>      | <b>BCC</b>      |
| <p><u>Highways (Inquiries Procedure) Rules 1994 - Rule 6(7)</u></p> <p>This gives a right to any person to inspect and where practicable to take copies of the promoting authority's statement and supporting documents.</p>  | <b>BCC</b>      |
| <p><u>Highways Act 1980 - Section 36(7)</u></p> <p>This requires all County Councils and London Boroughs to prepare a list of streets in their areas which are highways maintainable at the public expense. Such a list may be inspected free of charge and at all reasonable hours at the offices of the Council by whom it was made and also at the offices of all District Councils within the County.</p>   | <b>BCC</b>      |
| <p><u>Highways Act 1980 - Section 37(5)</u></p> <p>Members of the public have the right to see free of charge and at all reasonable hours:</p> <ul style="list-style-type: none"> <li>• Certificates of acceptance of private highways 'dedicated' to public use; and</li> <li>• Orders made by the Magistrates Court having similar effect i.e. a highway becomes maintainable at the public expense.</li> </ul>   | <b>BCC</b>      |
| <p><u>Noise Insulation Regulations 1975 – Regulation 6(3)</u></p> <p>This requires the highway authority to compile a major list which identifies (i) every building eligible for a noise insulating grant and (ii) every building on which insulation works will be carried out by the highway authority. This map or list is available at the offices of the highway authority or its agent nearest to the appropriate building for a period of six months from the date on which a highway was first open to public traffic.</p> | <b>BCC</b>      |
| <p><u>New Roads and Street Works Act 1991 - Section 53</u></p> <p>A register of street works executed or proposed to be executed in streets in the area that must be kept available for public inspection at all reasonable hours.</p>  | <b>BCC</b>      |



| <b>Matter</b>   | <b>Contact Officer</b> |
|---|------------------------|
| <u>Transport and Works Act 1992 – Section 14</u><br><br>Documents deposited with the Council by the Secretary of State relating to orders made for the construction or operation of a transport system in the area of the County Council. | <b>BCC</b>             |

## 5. Housing Matters

| Matter  | Contact Officer |
|---|-----------------|
| <p><b>HOUSING</b></p> <p><u>Registered Homes Act 1984 – Section 7</u></p> <p><i>Members of the public have the right to see the register kept by the local Social Services Authority which contains details of residential care homes and persons in control of such homes. This right exists at all reasonable times and copies of the register may be taken on payment of a reasonable fee.</i></p>   | <b>BCC</b>      |
| <p><u>Housing Act 1985 - Section 105(6)</u></p> <p>This requires a landlord authority which is a registered housing Association to send a copy of the published arrangements for housing management to:</p> <ol style="list-style-type: none"> <li>1) the Housing Corporation; and</li> <li>2) the District Council or London Borough in which there are dwelling houses let by the Association under assured tenancies.</li> </ol> <p>The public may inspect the copy sent to the District Council, at its principal offices at all reasonable hours. There is no fee.</p> | <b>HHC</b>      |
| <p><u>Housing Act 1985 - Section 106(3)</u></p> <p>Members of the public have the right to see at all reasonable hours the rules of registered housing associations for determining priority between applicants for housing and the rules for the transfer of tenants. A copy of any such rules relating to registered housing associations operating in the district can be inspected free of charge at all reasonable hours at the Council offices.</p>   | <b>HHC</b>      |
| <p><u>Housing Act 1985 - Section 349(3)</u></p> <p>Members of the public have the right to see at all reasonable hours a copy of the registration scheme kept by the local housing authority containing details of houses in multiple occupation and those with poor sanitary conditions. A copy can be requested for a reasonable fee.</p>   | <b>HHC</b>      |
| <p><u>Housing Act 1985 - Section 414(3)</u></p> <p>Any person may apply to the proper officer of the local housing authority for a certified copy of an entry in the Register of Common Lodging Houses (i.e. a house other than a public assistance institution provided to accommodate by right poor persons for the purpose of sleeping/eating). There is no fee.</p>   | <b>HHC</b>      |
| <p><u>The Access to Personal Files Act 1987 and Access to Personal Files (Housing) Regulations 1989</u></p> <p>Provides for access by persons to personal information concerning them held by the Council in connection with its housing functions.</p>   | <b>HHC</b>      |

## 6. Miscellaneous

| Matter   | Contact Officer   |
|--|---|
| <p><b>MISCELLANEOUS</b></p> <p><u>Local Land Charges Act 1975 – Section 8</u></p> <p>On payment of a prescribed fee, members of the public may search in the Local Land Charges Register kept by the District Council. Copies of any portion on the register may be requested.</p> <p><u>Commons Registration Act 1965 – Section 3(2)</u></p> <p>Members of the public have the right to see the Register maintained by the Registering Authority containing details of all common land, town and village greens and ownership of rights over them. Inspection is free of charge.</p> <p><u>Representation of the People Act 1983 - Section 89(1)</u></p> <p>Members of the public have the right to see any returns or declarations and accompanying documents relating to election expenses sent by a candidate at a parliamentary or local government election to the appropriate local authority office. This right continues for a period of two years after the receipt of the returns. A fee is charged. Copies may be requested on payment of a small fee. (Both fees set by Order).</p> <p><u>Local Elections (Principal Areas) Rules 1986 and Local Elections (Parishes and Communities) Rules 1986 (as amended)</u></p> <p>The following documents are open to public inspection for six months</p> <p>Following the day of a local election:</p> <ul style="list-style-type: none"> <li>• Ballot paper accounts, statements as to rejected ballot papers, statements of the result of verification of ballot paper accounts.</li> <li>• Tendered votes lists, lists of blind voters assisted by companions and declarations made by the latter, lists of votes marked by the Presiding Officer and statements relating thereto.</li> <li>• Marked copies of the Registers of Electors and Lists of Proxies, used at the Polling Station.</li> </ul> <p>Copies may also be taken and fees for inspection and copying are chargeable at the Council's discretion.</p> <p><u>Local Government Act 1972 - Section 60(2)(c)</u></p> <p>This requires a District Council which is proposing to conduct a review relating to changes in Local Government areas or electoral arrangements to deposit copies of:</p> <ul style="list-style-type: none"> <li>• draft proposals or recommendations</li> </ul> | <p><b>HLDS</b></p> <p><b>BCC</b></p> <p><b>CE</b></p> <p><b>CE</b></p> <p><b>CE</b></p> |

| Matter   | Contact Officer |
|--|-----------------|
| <ul style="list-style-type: none"> <li>• any draft Order containing changes in electoral arrangements, or</li> <li>• any interim decision not to make any proposals, recommendations or Order</li> </ul> <p>at the offices of a principal Council whose area may be affected. Any such Council is required to keep the copies available for inspection at their offices for a period specified by the District Council/Commission.</p> <p><u>Local Government Act 1972 - Section 60(5)(b)</u></p> <p>This requires a District Council which makes a report, proposal or recommendation in respect of changes in Local Government areas or electoral arrangements to deposit copies of the report, proposal or recommendation at the offices of any principal Council whose area may be affected. Any such Council is required to keep the copies available for public inspection for a period of six months from the date of the Order which brings the proposals into effect.</p> | <b>CE</b>       |
| <p><u>Local Government Act 1992 – Sections 15(3) (c). 15(4)(c) and 15(5)</u></p> <p>In conducting reviews of principal areas, the Local Government Commission must deposit copies of its draft recommendations at the principal office of any principal Council appearing to the Commission to be likely to be affect by them; and must similarly deposit copies of its final recommendations to the Secretary of State. The copies of such draft or final recommendations must be kept available for inspection throughout the period within which representations must be made or as the case may be, within which they may be inspected.</p>  | <b>CE</b>       |
| <p><u>Local Government Act 1974 – Section 30(4) and (7)</u></p> <p>Members of the public have the right to see at all reasonable hours reports of investigations made by the Local Government Ombudsman, such investigations having been undertaken as a result of a written complaint made on behalf of a person who claims to have sustained injustice as a consequence of maladministration. This right exists for a period of three weeks and no charge is made. Copies or extracts from the report can be taken. The Local Commissioner may however direct that in the interests of the public and the complainant the report is not available for inspection.</p>  | <b>CE</b>       |
| <p><u>Local Government Act 1972 - Section 236</u></p> <p>Copies of bylaws on a variety of subjects may be inspected by members of the public at all reasonable hours without charge Copies can be made at a charge not exceeding 10 pence per 100 words.</p>   | <b>HLDS</b>     |
| <p><u>Compulsory Purchase (Inquiries Procedure) Rules 2007</u></p> <p><b>These rules govern Inquiries relating to a local authority's proposal to exercise its powers to acquire land by means of compulsory purchase.</b></p>   | <b>HLDS</b>     |

| <b>Matter</b>   | <b>Contact Officer</b>  |
|---|---|
| <p><b>Members of the public have a right to be given a reasonable opportunity to inspect and where practicable to take copies of:</b></p> <p>(i) the statement of the authority which proposed to purchase the land;</p> <p>(ii) the documents which the authority intends to refer to or put in evidence at the Inquiry.</p> <p><u>Local Government Planning and Land Act 1980 - Section 2 as amended by Local Government Act 1999- Section 20</u></p> <p>A copy of the Authority's Annual Report and Financial Statement may be inspected by members of the public.</p> <p><u>Representation of the People Act 1983 - Section 9</u></p> <p>Members of the public have the right to inspect free of charge, a register of persons who are eligible to vote in elections.</p> <p><u>Charities Act 1993 - Section 76</u></p> <p>A publicly available index containing such information as the names of the Trustees, charitable objects of a local charity and its accounts.</p> <p><u>Town Police Clauses Act 1847</u></p> <p>A register containing information about the owners and drivers of taxis and the period of licences granted.</p> <p><u>Local Government (Miscellaneous Provisions) Act 1976 - Section 51</u></p> <p>A register containing information about the drivers of private hire vehicles.</p> <p><u>Allotments Act 1908 - Section 28</u></p> <p>Requires the Council to prepare a document setting out rules and conditions relating to the letting of statutory allotments. The rules must be available for public inspection.</p> <p><u>Gambling Act 2005</u></p> <p>Information about licences for fruit machines.</p> <p><u>Local Government Act 2000 - Section 22 and Local Authorities (Executive Arrangements)(Access to Information)(England ) Regulations 2000 (as amended) Regulation 5</u></p> <p>Requires the Council's proper officer to ensure that decisions taken by the Cabinet or a "key" decision taken by Officers are recorded and made available for public inspection at the Council's offices as soon as practicable, together with the whole or part of any report relevant to the decision taken. Copies</p> | <p><b>HF</b></p> <p><b>CE</b></p> <p><b>HHC</b></p> <p><b>HHC</b></p> <p><b>HHC</b></p> <p><b>HHC</b></p> <p><b>HE</b></p> <p><b>HHC</b></p> <p><b>HLDS</b></p> |

| <b>Matter</b>   | <b>Contact Officer</b> |
|---|------------------------|
| <p>must be supplied to the press on payment of postage, copying or other necessary charge for transmission.</p> <p><u>Local Government Act 2000 - Section 22 and Local Authorities (Executive Arrangements)(Access to Information)(England ) Regulations 2000 (as amended) Regulation 6</u></p> <p>When a report is made available for public inspection under Regulation 5 the proper officer shall at the same time prepare a list of background papers to the report. The list and a copy of any document included on the list must also be available for public inspection at the Council's offices on payment of a reasonable fee.</p>   | <b>HLDS</b>            |
| <p><u>Local Government Act 2000 - Section 22 and Local Authorities (Executive Arrangements)(Access to Information)(England ) Regulations 2000 (as amended) Regulation 11</u></p> <p>A copy of the Agenda and any report of a public meeting of the Cabinet must be available for inspection by the public at the Council's offices, at least three clear days before the meeting.</p>   |                        |
| <p><u>Local Government Act 2000 - Section 22 and Local Authorities (Executive Arrangements)(Access to Information)(England ) Regulations 2000 (as amended) Regulation 12</u></p> <p>The Cabinet Leader must instruct the proper officer to publish annually in at least one newspaper circulation in the locality, a document which gives details of various matters concerning the Cabinet's 28 Day Notice, including, dates of publication and rights of inspection and copying of the Notice and any documents referred to in it. Publication must take place at least 14 but not more than 21 days before the first 28 Day Notice of the year comes into effect.</p>  | <b>HLDS</b>            |
| <p><u>Local Government Act 2000 - Section 29</u></p> <p>As soon as practicable after passing a resolution to operate executive arrangements the Council must secure that copies of a documents setting out the provisions of the arrangements are available at the its principal offices for inspection by members of the public at all reasonable hours.</p> <p>The must also publish a notice in one or more newspapers circulating in the locality which states the date from which the Council will begin to operate executive arrangements, describe the main features of the arrangements and state that that copies of a document setting out the provisions of the arrangements are available for inspection at the Council's principal office.</p> |                        |
| <p><u>Local Government Act 2000 – Section 37</u></p> <p>When the Council begins to operate executive arrangements it must prepare and keep up to date a constitution. The public have the right to inspect the constitution at the Council's principal office during all reasonable hours. Copies</p>   | <b>HLDS</b>            |

| <b>Matter</b>   | <b>Contact Officer</b> |
|---|------------------------|
| may be obtained on the payment of such reasonable fee as the Council determines |                        |

## 7. Planning and Building Control Matters

| Matter  | Contact Officer |
|---|-----------------|
| <p><b>PLANNING &amp; BUILDING CONTROL</b></p>   |                 |
| <p><u>Town and Country Planning (Control of Advertisements) Regulations 2007</u></p> <p>Members of the public may see at all reasonable hours the register kept by the local planning authority of applications for consent to display advertisements on land and the decision of the authority.</p>  | HSD             |
| <p><u>Town and Country Planning (Trees) Regulations 1999 (as amended) - Regulation 3(3)</u></p> <p>Members of the public have the right to inspect at all reasonable hours a copy of a Tree Preservation Order which the Council has placed on deposit following the making of an Order.</p>  | HSD             |
| <p><u>Town and Country Planning (Trees) Regulations 1999 (as amended) - Regulation 6</u></p> <p>Members of the public have the right to inspect at all reasonable hours a copy of a Tree Preservation Order which the Council has placed on deposit following the confirmation of an Order.</p>   | HSD             |
| <p><u>Town and Country Planning (Tree Preservation Order) Regulations 1969 - Paragraph 4(2) of the Schedule</u></p> <p>Members of the public have the right to inspect at all reasonable hours the register of applications for consents to carry out works to a tree protected by a Tree Preservation Order. (Orders made before 2 August 1999 – Orders made after 2 August 1999 – refer to Section 198(4) (a) Town &amp; Country Planning Act 1990, below.)</p> | HSD             |
| <p><u>Town and Country Planning Act 1990 - Section 69</u></p> <p>Members of the public have the right to see at all reasonable hours the register kept by the local planning authority containing planning applications and determinations.</p>   | HSD             |
| <p><u>Town and Country Planning Act 1990 - Section 198(4)(a)</u></p> <p>A register of applications for consent to works under Tree Preservation Orders and their results must be available for inspection by the public at all reasonable hours.</p>  | HSD             |
| <p><u>Town and Country Planning Act 1990 - Section 214</u></p> <p>Members of the public have the right to see free of charge and at all reasonable hours the register kept by the District Council containing details of notifications by persons intending to carry out acts affecting trees in Conservation Areas and</p>   | HSD             |



| <b>Matter</b>   | <b>Contact Officer</b> |
|---|------------------------|
| <p>the subsequent decision of the District Council.</p> <p><u>Town and Country Planning Act 1990 - Section 188(3)</u></p> <p>Members of the public have the right to see at all reasonable hours the register kept by the District Planning Authority of Enforcement Notices (served where there is a breach of planning control) and Stop Notices (served to prohibit any activity complained of in an Enforcement Notice) and breach of condition notices which relate to land in their area.</p>   | <b>HSD</b>             |
| <p><u>Town and Country Planning (Inquiries Procedure) Rules 2000</u></p> <p>These Rules apply to Local Inquiries and hearings held in connection with applications referred or Appeals to the Secretary of State in respect of:</p> <ul style="list-style-type: none"> <li>(i) Section 78 Town and Country Planning Act 1990 - appeals against refusal of planning permission or non-determination of a planning application.</li> <li>(ii) Applications for consent under a Tree Preservation Order or appeal against such an Order.</li> <li>(iii) Applications for Listed Building Consent referred under Section 12 of the Listed Building Act 1990 or variation or discharge of conditions attached to a Listed Building Consent.</li> <li>(iv) Applications for Conservation Area Consent referred under Section 12 of the Listed Building Act 1990.</li> </ul> | <b>HSD</b>             |
| <p><u>Rule 6(11)</u></p> <p>This provides for a right of inspection and where practicable copying of the Local Planning Authority's Pre-Inquiry Statement and associated documents by the appellant and parties who object to the application.</p> <p>It also provides for any other person and where practicable to copy the Secretary of States pre-Inquiry Statement, the Local Planning Authority's pre-Inquiry Statement and associated documents and any Statement served by the appellant.</p>   | <b>HSD</b>             |
| <p><u>Town and Country Planning Appeals (Inquiries Procedure) (England) Rules 2000 – as amended</u></p> <p>These Rules apply to Local Inquiries and hearings outlined above under the Town and Country Planning (Inquiries Procedure) Rules 1992, but where the Appeals are determined by an Inspector appointed by the Secretary of State.</p>   | <b>HSD</b>             |
| <p><u>Rule 6(13)</u></p> <p>Provides for a right of inspection and where practicable copying of the Local Planning Authority's pre-Inquiry Statement and associated documents by the appellant and parties who object to the application. It also provides for any other person to inspect and where practicable to copy the Local Planning</p>   | <b>HSD</b>             |

| <b>Matter</b>   | <b>Contact Officer</b> |
|---|------------------------|
| <p>Authority's pre - Inquiry Statement and associated documents and any statement served by the appellant.</p>  |                        |
| <p><u>Town and Country Planning (Enforcement) (Inquiries Procedure) Rules 2002 as amended</u></p>   |                        |
| <p>These Rules govern Local Inquiries held for the purpose of Appeals against Enforcement Notices, Listed Building Enforcement Notices and Appeals in respect of applications for Certificates of Lawful Use or Development.</p>  | <b>HSD</b>             |
| <p><u>Rule 8(13)</u></p>  |                        |
| <p>The local planning authority must afford to any person who so requires it the opportunity to inspect and, where practicable, take copies of any Statement of Case or other document served on it (e.g. by the appellant or a third party). The authority's own Statement of Case or any document mentioned in it must also be made available for inspection/copying.</p>       | <b>HSD</b>             |
| <p><u>Town and Country Planning (Development Plan) (England) Regulations 1999 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2004</u></p>   |                        |
| <p>These Regulations govern the preparation and subsequent availability to the public of the Local Plan and Local Development Document.</p>   | <b>HSD</b>             |
| <p><u>Part 6 – 2004 Regulations</u></p>   |                        |
| <p>Where a local planning authority is preparing a Local Development Document, they must place certain documents on deposit and members of the public have the right, on payment of a reasonable fee, and at all reasonable hours, to inspect copies of any plan or other documents, which have been made public. Copies must be provided on the payment of a reasonable fee.</p> | <b>HSD</b>             |
| <p><u>Regulation 51 – 2004 Regulations</u></p>  |                        |
| <p>Provides that copies of any documents or lists or notices that the public are entitled to inspect under these Regulations can be obtained from the local planning authority on payment of a reasonable charge.</p>   | <b>HSD</b>             |
| <p><u>Planning (Listed Buildings and Conservation Areas) Act 1990 - Section 2</u></p>   |                        |
| <p>Members of the public have the right to see at all reasonable hours copies of any list supplied by the Secretary of State to a local Planning Authority, containing details of buildings in the area of special or architectural interest.</p>   | <b>HSD</b>             |
| <p><u>Planning (Hazardous Substances) Act 1990 - Section 28</u></p>   |                        |
| <p>Members of the public have the right to see at all reasonable hours a register containing information about planning applications for premises which are used for the storage and processing of hazardous substances.</p>  | <b>HHC</b>             |

