



Department
for Environment
Food & Rural Affairs

T: 03459 33 55 77 or
08459 33 55 77
helpline@defra.gsi.gov.uk
www.gov.uk/defra

Your ref:
Our ref: RFI 6844
Date: 03 October 2014

Dear Mr [REDACTED]

REQUEST FOR INFORMATION: Meetings of the National Common Land Stakeholder Group

Thank you for your request for the agendas and notes of meetings of the National Common Land Stakeholder Group in 2013 and 2014, and any documents they may have considered regarding implementation of Part 1 of the Commons Act 2006, which we received on 20 August 2014. As you know, we have handled your request under the Environmental Information Regulations 2004 (EIRs).

We acknowledge that we missed the relevant deadline for response to your request, for which I would like to apologise. It is not our usual practice to take longer than the time allowed for response in the relevant legislation and I am sorry that on this occasion we have not been able to meet our usual standards. We are currently experiencing some difficulty in responding to the number of outstanding requests. The Department is taking action to address this issue, however, it has taken some time to gather the relevant information together and ensure you have a full and accurate response to your request as summarised below.

I enclose a copy of the agendas and notes you requested, which relate to meetings on 3 June and 2 December in 2013 and 6 June 2014 (only the agenda for this one). A copy of the note of the last meeting held on 6 June 2014 can be found at the following link (<http://www.yorkshirecommoners.org.uk/downloads/NCLSG%20meeting%20June%206th%202014.pdf>). Regulations 12(3) and 13(1) of the EIRs provide that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA). Due to this exemption, I have redacted the names of both Government officials below senior civil service level and persons from stakeholder organisations, as the information constitutes personal data relating to third parties.



We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the personal data, second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA. Therefore, we have concluded that this information is exempt from disclosure under regulation 12(3) and 13(1) of the EIRs.

I confirm documents about implementation of Part 1 of the 2006 Act were presented to the group and they are disclosed – see the table below. I have removed information which is out of scope of your request, i.e. it does not pertain to implementation of Part 1 of the 2006 Act. This particularly affected large parts of the two notes from 14 June 2010, which is why I have copied and pasted the information relevant to your request into this letter.

Date of meeting	Name of documents considered by the group
10 December 2007	Part 1 emerging conclusions; Report on part 1 consultation (updating the commons registers); Report on Part 1 implementation
18 June 2009	Update on Part 1 registration
7 December 2009	Part 1 of the Commons Act 2006 (includes table of numbers of applications submitted to pioneer authorities)
14 June 2010	Planning Inspectorate – Commons & Greens Casework Targets; Common Land Casework

National Common Land Stakeholder Group

14 June 2010

Paper 8/1

Common Land Casework

Period of this report: 01/04/09 – 31/03/10

Case types in red are pre October 2007

Case type	Applications received	Invalid/withdrawn applications	Decisions issued	Live Cases	Date of oldest live case	In Abeyance	Date of oldest in abeyance case
Commons Act 2006: section 16	9	0	5	8	06/04/09	1	28/01/09
Commons Act 2006: Part 1	7	0	0	7	04/11/09	0	N/A
TOTALS	16	0	5	15		1	

*Exemption notices are not regarded as 'applications' and are not included in the totals

Period of this report: 01/04/10 – 31/05/10

Case types in red are pre October 2007

Case type	Applications received	Invalid/withdrawn applications	Decisions issued	Live Cases	Date of oldest live case	In Abeyance	Date of oldest in abeyance case
Commons Act 2006: section 16	1	1	0	8	06/04/09	1	28/01/09
Commons Act 2006: Part 1	4	0	0	11	04/11/09	0	N/A
TOTALS	5	1	0	19		1	

Planning Inspectorate — Commons & Greens Casework Targets

Part 1 casework and Planning Act 2008

There are at present no targets for Part 1 registration cases or cases arising under the sections 131 & 132 of the Planning Act 2008. We intend to introduce targets for Part 1 in due course, but as this is new work for the Planning Inspectorate (and all other parties), and the pilot phase has yet to be concluded, we felt it was premature to apply targets until we have more experience of casework. Likewise, we propose to monitor the number and progress of any Planning Act cases before setting targets for them.

Specialist Casework Branch

The Planning Inspectorate

1 June 2010

Casework Targets for the Commons Team, Planning Inspectorate

Case type	Targets	
	Principal targets ⁽¹⁾ 80% or more cases within	Milestone targets ⁽²⁾
Commons Act 2006 section 16 ⁽⁶⁾	52 weeks	From SV to receipt of decision in office 3 weeks Receipt of decision to issue 6 weeks

In keeping with the spirit and effect of the EIRs, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on www.gov.uk together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact the address below.

Yours sincerely,


Defra FOIA and EIRs Team
InformationRequests@defra.gsi.gov.uk

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

Most documents produced by Defra will be protected by Crown Copyright. Most Crown copyright information can be re-used under the Open Government Licence. For information about the OGL and about re-using Crown Copyright information please see The National Archives website.

Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the Intellectual Property Office's website.

Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our website.

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

