

## Response to Request for Information

Reference      FOI 003391  
Date            22 March 2019

### *Planning*

#### **Request:**

##### 1. PLANNING ENFORCEMENT REGISTER

Do you hold an electronic or paper version of your Planning Enforcement Register, if so how can this be publicly accessed? Do you register all entries on the Enforcement Register in the Local Land Charges Register?

With reference to question 1, your request for information has now been considered and the City of Wolverhampton Council is not obliged to supply the information you requested for the reasons set out below.

Section 17 of the Freedom of Information Act 2000 requires City of Wolverhampton Council, when refusing to provide such information (because the information is exempt) to provide you, the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies:

In relation to your particular request, the following exemption applies:

#### **Section 21 – Information reasonably accessible to the applicant by other means**

We can confirm that the department holds information that you have asked for in relation to the above. However, the information is exempt under section 21 of the FOI Act because it is reasonably accessible to you. Planning enforcement records can be viewed on planning on-line using the following link.

<https://www.wolverhampton.gov.uk/planning/planning-applications-and-decisions>

Section 21(1) of the Freedom of Information Act exempts disclosure of information that is reasonably accessible by other means, and the terms of the exemption mean that we do not have to consider whether or not it would be in the public interest for you to have the information.

Please note that you can submit a personal search request, you will receive a copy of the LLC1 register (Local Land Charges Register) – there is of course no charge for this.

If you require answers to more specific questions that fall within the CON29 part of a local search, you will have to submit a CON29 application, for which there is a fee.

You can find out more about Section 21 by reading the extract from the Act, available at: <http://www.legislation.gov.uk/ukpga/2000/36/section/21>

## 2. ON-LINE PLANNING APPLICATION SEARCH

Please state the date that these application go back to and does this reflect the full planning history register back to this date – if not, where can the full planning history register be viewed.

Please see our response to question 1 where we have applied Section 21 - Information reasonably accessible to the applicant by other means.

Planning on-line gives a planning history from 1977 to the present day. We can carry out searches prior to this date, however we do charge for this service.

## 3. BUILDING REGULATION CONTRAVENTION NOTICE

Do you hold an electronic, paper or no record of these notices, if so please provide a list of the above for your Authority showing address, details of the notice date served and any compliance of the notice? Which department holds copies of these notices? Is a list publicly available, if so how is this viewed? Are these notices recorded in the Land Charges Register?

Please see our response to question 1 where we have applied Section 21 - Information reasonably accessible to the applicant by other means.

Building contravention records can be found on building control on-line using the following link.

<http://planningonline.wolverhampton.gov.uk/online-applications/search.do?action=simple&searchType=BuildingControl>

Copies of notices can be obtained from Building Control and are available to the property owner or solicitors acting on behalf of the sellers or buyers. There is no charge for electronic copies where a reference is provided.

## 4. BUILDING REGULATION COMPLETION NOTICES

Do you hold an electronic or paper version record of completion certificates, what date does your comprehensive records start from, how is this information accessed by search agents, what is your expected turn-round time for this information, do you make a charge for this information?

Copies of completion certificates are held by the building control section. These copies are available to the property owner or solicitors acting on behalf of the buyers or sellers of a property. Electronic copies of certificates do not attract a charge where a reference is provided.

Completion certificates were first introduced for schemes completed satisfactorily from June 1991 to the present day. Records are retained where certificates were issued. Electronic copies of completion certificates do not attract a charge where a reference is provided.

Requests for certificates can normally be accommodated within four working days

#### 5. COMPETENT PERSON SCHEMES

Do you hold an electronic, paper version or no record of these schemes, if so how can this information be accessed?

Please see our response to question 1 where we have applied Section 21 - Information reasonably accessible to the applicant by other means.

An electronic record of competent persons schemes is held by this authority and this can be viewed using the following link.

<http://planningonline.wolverhampton.gov.uk/online-applications/search.do?action=simple&searchType=BuildingControl>

This is an electronic register only. All documentation relating to these notifications should be obtained from the relevant scheme provider.

#### 6. APPROVED INSPECTOR SITES

7. Do you hold an electronic, paper version or no record of these schemes, if so how can this information be accessed?

Please see our response to question 1 where we have applied Section 21 - Information reasonably accessible to the applicant by other means.

An electronic record of approved inspector schemes is held by this authority and this can be viewed using the following link.

<http://planningonline.wolverhampton.gov.uk/online-applications/search.do?action=simple&searchType=BuildingControl>

This is an electronic register only. All documentation relating to these notifications should be obtained from the relevant approved inspector.

#### 8. CONSERVATION AREAS

Please provide a list of conservation areas made before 31st August 1974 and the designation date applicable.

Bushbury Hill – 12/10/72

St Johns Square – 12/10/1972

Tettenhall Greens - 07/09/1972

Vicarage Road Penn – 07/09/1972

Wolverhampton City Centre – 07/09/1972

Please also see link provided below. This includes the list of areas, the report printed from the database and a link to a map showing all of our conservation areas.

<http://tinyurl.com/jr3janz>

## 9. SUDS

Do you hold an electronic, paper version or no record of these schemes, if so how can this information be accessed?

In response to question 9, Section 1 of the Freedom of Information Act 2000 places two duties on public authorities. Unless exemptions apply, the first duty at:

- Section 1(1) (a) is to confirm or deny whether the information specified in a request is held.
- The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

In respect of question 9, it has been established after careful consideration that the Council does not hold the above information in an electronic or paper list of SEDS in Wolverhampton.

Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Act, that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".

However, with reference to our response to question 1 where we have applied Section 21 -Information reasonably accessible to the applicant by other means, the details can be viewed on planning applications where there are to be implemented and all planning applications are available

on: <https://www.wolverhampton.gov.uk/planning/planning-applications-and-decisions>

## 10. MAJOR ROAD SCHEMES

Please provide a list of proposed major road schemes within your Authority, the location and proposed start dates.

Using a definition of >£5million to represent a Major Road Scheme, the current scheme proposals are being progressed. All are currently in development stages:

- City East Gateway Phases 1 and 2: A454 Willenhall Road between Bilston Road Island and Hickman Avenue  
earliest estimated start date Spring 2021
- City East Gateway Phase 3: A454 at Neachells lane  
no start date
- City North Gateway Phases 2+: A449 Stafford Road between city centre and Three Tuns Island  
no start date
- A4123 Birmingham New Road – Between Wolverhampton City Centre and Sandwell MBC boundary at Hagley Road  
no start date

#### 11. RAILWAY SCHEMES

Please provide a list for any proposals for a railway, tramway, or monorail within your Local Authority Boundary stating the location and proposed start dates.

There remains a reserved Midland Metro Line within strategic plans that provides a connection from the existing Metro Line 1 service to Walsall, via Heath Town and Wednesfield. There is no programmed start date for this scheme.

#### 12. COMMUNITY INFRASTRUCTURE LEVY

Has your Authority adopted a CIL? if so where are the CIL notices recorded. Can these be publicly viewed?

No

Are notices regarding CIL recorded in the Local Land Charges Register?

N/A

#### 13. CONTAMINATED LAND REGISTER

Do you hold an electronic or paper version of this register and where can it be accessed?

Please see our response to question 1 where we have applied Section 21 - Information reasonably accessible to the applicant by other means.

The following link provides you with the information to obtain the Contaminated Land Register;

<http://www.wolverhampton.gov.uk/article/3372/Contaminated-land>

#### 14. ASSETS OF COMMUNITY VALUE

Please provide a list of ACVs in your area.

Please see our response to question 1 where we have applied Section 21 - Information reasonably accessible to the applicant by other means.

Please see the link provided below:

<https://www.wolverhampton.gov.uk/planning/right-bid-assets-community-value>

#### 15. NEIGHBOURHOOD PLANS

Please provide a list of Neighbourhood Plans adopted in your area giving location and adopted date.

Please see our response to question 1 where we have applied Section 21 - Information reasonably accessible to the applicant by other means.

Please see the link provided below:

<https://www.wolverhampton.gov.uk/planning/planning-policies>