



Information Officer
Hastings Borough Council
Muriel Matters House
Breeds Place
Hastings
TN34 3UY

Mr. Hurrell

14 High Wickham
Hastings
TN35 5PB

Dear Mr. Hurrell

I refer to your recent request for information from this authority. Our response to your request is below.
You have the right to request an internal review if you are not satisfied with any aspect of the way we have handled your request for information or its content.

Once an internal review has been conducted and you still remain dissatisfied you may complain to the Information Commissioner who will decide whether the request has been handled properly.

Please note: The Information Commissioner cannot generally make a decision unless our internal review process has first been exhausted. The Information Commissioner can be contacted at:

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

www.ico.org.uk

Yours sincerely

Lisa Greathead
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Hastings
TN34 3UY
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Subject: Three reports referred to by the May 2019 Coffey Inspection Report into landslide in Ecclesbourne Glen

Details of Request:

The July Coffey Inspection report into the landslide in Ecclesbourne Glen (recently provided under EIR) refers to a previous inspection on the 30th November 2017 and to two other reports dated 2016 and 2018. It is unclear what these reports are.

"The aim of the inspection was to identify any signs of change and / or deterioration of the landslide and the adjacent land since the previous inspection by on the 30th November 2017.

..... This report should be read in conjunction with the Coffey (2016 and 2018) reports on the site"

. [https://www.whatdotheyknow.com/request/600991/response/1446106/attach/html/3/Freedom of Information Request.Reference FOIR 149170528.pdf.html](https://www.whatdotheyknow.com/request/600991/response/1446106/attach/html/3/Freedom%20of%20Information%20Request/Reference%20FOIR%20149170528.pdf.html)

Please provide the following under EIR:

1. Details of the 30th November Report including title , author, reference numbers.
2. A copy of the 30th November Report
3. Details of the 2016 Report including title , author, reference numbers and date.
4. A copy of the 2016 Report.

5. Details of the 2018 Report including title , author, reference numbers and date.
6. A copy of the 2018 Report.

This information is held

Response:

Please accept my apologies for the slight delay in responding.

30th November

1. Inspection for the legal report, Coffey, no reference number provided

2. NOTICE OF REFUSAL

Under Environmental Information Regulations parts of the correspondence that is held by HBC is being refused under Exception 12(5)(b) 'The course of justice and inquiries'.

The course of justice has a wide meaning which includes material covered by Legal Professional Privilege. Legal Professional Privilege (LPP) exists to ensure complete fairness in legal proceedings. LLP protects advice given by a lawyer to a client and confidential communications between them about that advice.

This exception is subject to a Public Interest Test. This means that a public authority can refuse to disclose information under these exceptions if in all the circumstances of the case the public interest in maintaining the exception outweighs the public interest in disclosing the information.

Factors for disclosure:

- Transparency and accountability

Factors against disclosure:

- Maintaining commercial confidences
- Correspondence contains confidential legal information
- The significance and sensitivity of the information
- Maintaining the confidentiality of discussions in the interest of good governance and the perceived threat to candour and boldness in the giving of advice

2016 report

3. Hastings Borough Council, Ecclesbourne Glen Footpath Diversions, Options Assessment, Coffey, ref: 02255AE
4. Part of this report was provided to you on the 16 October 2018 and part was refused. This case is currently awaiting a decision from the Information Commissioners Office therefore will not be provided.

2018 report

5. Hastings Footpath Note and Figures, Coffey, ref: there is no reference on the briefing note but listed on the 2 figures is ref: 02255AG
6. This information was supplied to you on the 12 July 2019 ref: FOIR-124239607

End of Request

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