

## Downs for People public forum statement: request for information under the Environmental Information Regulations 2004

### I Summary

1.1 *Downs for People* is dismayed that the Downs Committee is still refusing to provide information about our High Court challenge and its earlier handling of licences for zoo parking. The public has a right to know how much of its money was squandered on an unnecessary court case and why. Councillors have a duty to be open and accountable. The Committee's incompetence and secrecy need to be examined in the current governance review.

1.2 We made a second formal request for information under the Environmental Information Regulations 2004 on 8 November. If we do not receive a satisfactory reply to that, we will follow the prescribed procedures: we will seek an internal review and then, if necessary, refer the case to the Information Commissioner.

### II Background

2.1 In our public forum statement at the Committee's September meeting, we warned that we would make a formal request for information under the Environmental Information Regulations 2004 if the Committee did not publish a report with its legal briefing on our court case. The Committee decided not to publish anything, so that *Downs for People* made a formal request on 27 September for the legal briefing and other information.

2.2 The Lord Mayor replied on 18 October refusing our request. He claimed that all the information we had sought was either not environmental information or did not exist. The Committee considered the matter closed.

2.3 On 8 November we wrote seeking clarification of this response. We explained that we were baffled by the suggestion that the report on the court case was not 'environmental information' given the Information Commissioner's guidance. In our view, all issues affecting the management of the Downs were environmental. We repeated most of our requests for information. We reminded the Lord Mayor that councillors on the Downs Committee were expected to adhere to the Nolan principles of openness and accountability. The Committee could not declare the matter closed unilaterally.

### III Conclusions

3.1. It is disappointing that the Downs Committee has learned nothing from our court case. It is continuing to ignore our warnings about legal requirements and to withhold information. The current review of Downs governance must lead to an end to this behaviour. Meanwhile *Downs for People* will continue to pursue its information requests.