

TENDRING REGENERATION LTD

FREEDOM OF INFORMATION PUBLICATION SCHEME

INTRODUCTION

The Freedom of Information Act 2000 applies to public authorities and companies that are wholly owned by public authorities. It gives the public a general right of access to all types of recorded information held and sets out exemptions. Further information is available at the Information Commissioner's website (www.ico.gov.uk) and is included as an appendix to this Scheme.

BACKGROUND TO TENDRING REGENERATION LTD

Tendring Regeneration Ltd is a non profit distributing (NPDO) company limited by guarantee which has Tendring District Council as its sole member. The Company's objects are focused on the regeneration of the district, namely the

"Economic, social and environmental wellbeing of the residents of the administrative area of Tendring, Essex (the "District") including:

- To facilitate, promote and achieve physical, economic, social, and environmental regeneration through appropriate service delivery and projects for the District;
- To create attractive and sustainable places to live, work and visit in the District;
- To value and support the rural diversity of the District;
- To increase opportunities for participation and engagement in leisure and cultural activities across the District and to work with the voluntary sector and other partners to create a more dynamic District;
- To act as a regeneration organisation with focus on all communities within the District;
- To conduct meaningful engagement with communities and key stakeholders in the District in addition to the Local Authority
- To identify opportunities for and to bring forward projects for regeneration in the District;
- To establish and maintain contact with regeneration funding bodies and to secure local authority resources and additional resources to deliver regeneration projects;"

Other objects are:

- "To promote the interests of all localities in the District having regard to the regeneration and other relevant policies of Tendring District Council from time to time;
- To identify and support an area based regeneration framework;
- To support measures to address the specific needs of Jaywick; and
- To carry out such other regeneration-related activities, including activities outside the District, as are conducive or ancillary or which can be carried on efficiently in conjunction with the objects described above as determined by the Board at its absolute discretion."

PURPOSE AND AIMS OF THE PUBLICATION SCHEME

Section 19(2) of the Act sets out the requirements for a publication scheme as follows:

A publication scheme must:

- (a) specify classes of information that the public authority publishes or intends to publish;
- (b) specify the manner in which information is, or is intended to be published; and
- (c) specify whether the material is, or is intended to be, available to the public free of charge or on payment.

The detail of the Publication Scheme for Tendring Regeneration Ltd is set out below together with the different classes of information.

RATIONALE FOR THE DETERMINATION OF THE CLASSES OF INFORMATION

A 'class' of information is defined as 'a group of information having one or more common characteristics'. It is the intention that all information included in the classes is available and efforts have been made to ensure that the classes reflect logical groupings, easily understood by public, directors and employees alike.

EXEMPTIONS

Access to information legislation is about providing the framework within which decisions can be made on where the balance of public interest lies on the release or withholding of information on a case by case basis.

The Act therefore contains a number of exemptions to the general right of access. The exemptions ensure that decisions to release or withhold information are taken with the interest of the public as a whole firmly to the fore.

There are 23 exemptions from the rights of access under the FOI Act. These exemptions mark out the limits of the right of access to information under the FOI Act. If information is properly exempt then there is no right of access to it under the Act.

All the exemptions operate in different ways and, when applying individual exemptions, the following factors will be considered:

- The content of the information;
- The effect that disclosure would have (for example, on national security or international relations)
- The source of the information
- The purpose for which the information was recorded

It is important to state at the outset that the Company has been established to act as an entrepreneurial vehicle to support the regeneration of the District and as such Section 43, Exemption on the basis of "Commercial Interests", is likely to impact on some information. Section 43 exempts information whose disclosure would be likely to prejudice the commercial interests of any person. It also includes a specific exemption for trade secrets. It protects not only the

commercial interests of third parties but also the commercial interests of the public authority that holds the information.

The Company is also governed by the Companies Act 2006 and this may also impact on some disclosures under Section 44 "Prohibitions on Disclosure". Section 44 applies if there is an existing statutory bar to the disclosure of information.

CONTACT FOR FURTHER INFORMATION

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CLASSES OF INFORMATION

CLASS OF INFORMATION	INFORMATION AVAILABLE IN THIS CLASS & FORMAT	CHARGE FOR INFORMATION
Constitution	<ul style="list-style-type: none"> ▪ Memorandum and Articles of Association ▪ Code of Practice (e) 	FoC FoC
Annual report	<ul style="list-style-type: none"> ▪ Annual Report presented to the Council together with any associated appendices (e) 	FoC
Reports to Tendring District Council	<ul style="list-style-type: none"> ▪ Reports to the Council's Overview and Scrutiny Committee (e) ▪ Reports requested by the District Council (e) ▪ Tendring Regeneration Ltd Delivery Plan (e) 	FoC
Accounts	<ul style="list-style-type: none"> ▪ Annual Statement of Accounts (e) ▪ Financial procedure Rules 	FoC FoC
Recruitment packs	<ul style="list-style-type: none"> ▪ Job descriptions (e) 	FoC
Employee Policies	<ul style="list-style-type: none"> ▪ Employee Handbook (e) 	FoC
Area Boards	<ul style="list-style-type: none"> ▪ Agendas for meetings (e) ▪ Papers for meetings (e) ▪ Minutes for meetings (e) 	FoC
Promotional (Company)	<ul style="list-style-type: none"> ▪ Company brochure (e) ▪ Company FAQs (e) ▪ District prospectus (e) ▪ External Guidance documents (e) 	FoC
Consultations	<ul style="list-style-type: none"> ▪ Consultations on regeneration projects and proposals (e) ▪ Results of consultations on regeneration projects and proposals (e) 	FoC
'Masterplans'	<ul style="list-style-type: none"> ▪ 'Masterplans' for Regeneration Projects developed by the Company. 	Charge may be made in order to cover cost of printing.

(e) = electronic – all electronic documents can be offered in hard copy if preferred for which a charge may be made.

FoC = free of charge

APPENDIX – EXTRACT FROM THE INFORMATION COMMISSIONER’S WEBSITE.

The Freedom of Information Act 2000 applies to public authorities and companies that are wholly owned by public authorities.

Public authorities are obliged to provide information:

- Through a [publication scheme](#)
- In response to requests made under the general right of access.

When responding to requests, there are set procedures that public authorities need to follow. These include:

- The [time](#) public authorities are allowed for responding to requests.
- The fees or amount that public authorities can charge for dealing with requests. Public authorities are not obliged to deal with requests if the costs of finding the information exceed a set amount known as the appropriate limit.

Further guidance about fees will be available here soon.

- Public authorities need not comply with [vexatious or repeated requests](#).

The Act also recognises that there are valid reasons for withholding information by setting out a number of exemptions from the right to know, some of which are subject to a public interest test. For further details see our [exemptions guidance](#).