



# COLNEY HEATH PARISH COUNCIL

Highfield Park Office  
Hill End Lane  
St Albans  
Hertfordshire AL4 0RA  
Tel: 01727 825314 Email: [clerk@colneyheathparishcouncil.gov.uk](mailto:clerk@colneyheathparishcouncil.gov.uk)

Colney Heath Village Office  
83 High Street  
Colney Heath  
Hertfordshire AL4 0NS

15<sup>th</sup> April 2021

**RE: Freedom of Information Act 2000  
Colney Heath Village Money Claim – Mediation**

I am replying to you in response to your email received 1<sup>st</sup> April 2021 which were requested to be treated as Freedom of Information request.

The questions you asked are addressed with responses as follows:

**Your request:**

Please advise:

- a) Is the Council continuing with mediation?
- b) If not whether the decision has been made with the agreement of all Councillors? And if not, by whom and on what authority?
- c) Prior to the Council issuing proceedings what mediation was conducted on the money claim?

**Our response:**

- a) The Parish Council unanimously resolved to proceed with mediation at a duly and legally convened Emergency Parish Council meeting minute reference 20/21 -123. At this meeting, the Proper Officer was duly delegated and instructed on the negotiation parameters of the mediation.
- b) Mediation was approved by Full Council so no response to this question is required.
- c) The Parish Council are refusing to disclose the requested information on the basis of the legal professional privilege as stated in section 42 of the FOIA (Freedom of Information Act). The requested information forms part of an active eviction case between this Parish Council and an entity that, should the information become public by disclosure may prejudice the outcome of the case.

As required in section 2(2)(b) a public interest test was carried out to discern whether this information should be shared and with reference to this a) it was clear that a strong public interest in maintaining the confidentiality of the legally

privileged information which was effectively built into the section 42 exemption and b) weighing the public interest balance.



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I consider that the public interest is weighted in favour of refusing to release this information. On balance I consider the reasons for release of the information are outweighed by the weight of the reasons to withhold the information as set out above. Therefore, the information is withheld for the reasons set out above.

However as stated in section 1(1)a, the Parish Council confirms it does hold the information requested and once the matter has followed legal process to resolution or by disclosure as part of the legal process this information will be disclosed.

You have a right to appeal to the Information Commissioner's Office at the following address: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely,

**Lisa Chaplin LCGI PSLCC CPFA CiLCA**  
**Clerk to the Council**  
**For and on behalf of**  
**Colney Heath Parish Council**