

FREEDOM OF INFORMATION ACT 2000

Your request for information has now been considered and the Council's response to your questions is shown below.

You asked:

- 1) How many housing developments has your planning department approved, against the flood-related advice of the Environment Agency, in each of the following years: 2002-3, 2003-4, 2004-5, 2005-6, 2007-8, 2008-9, 2009-10, 2010-11, 2011-12, and so far in 2012-13?**
- 2) Can you provide the name of the developments, the location of the developments and the name of the developer, in all these cases?**
- 3) Of the above developments, in each year, how many of the homes were designated for affordable housing or social housing?**

ANSWER

The Council has been able to identify 814 residential applications where we have consulted the Environment Agency (EA) in the requested time period 01/04/2002- 31/3/2013. However our database does not differentiate between the various EA responsibilities which may have led to such a consultation, eg flood related matters or its other responsibilities such as pollution.

As such, a manual investigation would be required to try and identify the EA's comments and recommendations and to compare these to the Officers report and final decision.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for local government is set at £450. This represents the estimated cost of one person spending more than 18 hours in determining whether the department holds the information, locating, retrieving and extracting the information.

We estimate it will take over 271 hours to process your request. This is calculated as it will take approximately 20 minutes to look at each of the 814 files = $814 \times 20 \text{ minutes} = 16,280 \text{ minutes} = \text{over } 271 \text{ hours}$.

This is therefore a Refusal Notice under section 17.1 of the Freedom of Information Act, because under the provisions of section 12.1 of the Act, the Council estimates that to comply with your request in its current form will exceed the appropriate limit.

The legislation allows you to use the information supplied for your own personal use. Please be aware that any commercial or other use, for example publication, sale, or redistribution may be a breach of copyright under the Copyright, Designs and Patents Act 1988 as amended unless you obtain the copyright holder's prior permission.

Not all the information that is supplied which is covered by copyright will be the Council's copyright, for example it may be the copyright of a government department or another Council. You should seek either the Council's consent or their consent as appropriate. The Council is willing to advise you of any such potential issues on request. In order to make a request to re-use the information please contact the Information Governance Manager using the details below.

If you are dissatisfied with the handling of your request please write to:

Information Governance Manager
Information and Customer Access
Leicester City Council
FREEPOST (LE985/33)
New Walk Centre
LEICESTER LE1 6ZG

e-mail: info.requests@leicester.gov.uk

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You can also complain to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Telephone: 01625 545 700
www.informationcommissioner.gov.uk

Please be aware that the Information Commissioner does not normally consider appeals or complaints until the internal appeals and complaints processes of the public authority which is answering the request have been exhausted. You are therefore advised to complain or appeal to the Information Governance Manager before contacting the Commissioner.