

## **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:**

**Under the 'Freedom of Information Act 2000' I hereby request that information held by Leicester City Council relating to 'Empty Houses' within the local authority be released.**

### **Please can you include:**

**The name and/or address and/or type (commercial/residential) of each council-owned/private owned abandoned/empty/vacant building that has been empty for more than six months.**

**Contact details (if known) for the owner of each property**

**Estimated price of each property, should the council wish to sell.**

The attached spreadsheet contains the information that the Council believes it is lawfully able to disclose in response to this request. It is details of all empty residential/commercial properties owned by non-individuals in Leicester City.

A couple of points to bear in mind about the data provided:

1. The data is constantly changing - what is vacant on a Monday may become occupied on a Tuesday, so please remember it will always be in a state of flux.
2. Our data is only as accurate as the information notified to us; therefore it is possible we have inaccurate information if we have not been correctly advised.
3. We always need time to process work, therefore there may be changes notified to us that we had yet to action, which will affect the status of the properties on the list.

Some information, specifically the details of privately-owned domestic properties has been withheld under the following exemptions:

I can confirm that Leicester City Council holds this information. This information is exempt under section 40 (personal information) of the Freedom of Information Act (FOIA), as the information constitutes third party data. Section 40(2) provides that personal data about third parties is exempt information if one of the conditions set out in section 40(3) is satisfied. Under the FOI Act disclosure of this information would breach the fair processing principle contained in the Data Protection Act (DPA), where it would be unfair to that person/is confidential. Addresses alone have been considered personal data because of the likelihood of identification of the owner, and because it says various things about the owner.

This information is also considered to be exempt under section 31(1)(a) of the Freedom of Information Act and is therefore being withheld. Disclosure of the requested list of properties would be likely to have significant negative impact on

the prevention of crime. Disclosure of this information could be of use to squatters and would, on a balance of probability, lead to significant harm in the form of criminal activity.

The Council considers there is a strong public interest in avoiding likely prejudice to the prevention of crime, including avoiding damage to property and personal distress to the victims of crime and to those in the wider neighbourhood. On balance the public interest in maintaining the exemption does outweigh the public interest in disclosure (which include properties coming back into use and the ability to review the Council's activities).

Having considered the public interest, the Department's decision is therefore to withhold details of privately-owned domestic properties. Please treat this document as the statutory refusal notice for the exempt information as required by section 17.1 of the Freedom, of Information Act 2000 for the reasons stated directly above.

There are no costs attached to the spreadsheet because for those properties not owned by Leicester City Council we do not hold the information. As such the Council does not hold this information. Therefore this letter acts as a refusal notice under section 17.1 of the Freedom of Information Act 2000 because, in accordance with section 1.1 of the Act, this information is not held by Leicester City Council.

Any residential properties that the Council wishes to dispose of are sold by way of auction and the details can be found from time to time on Find a Property. The below link could be of use should you wish to check in the future.

<http://www.findaproperty.com/searchresults.aspx?edid=07&salerent=0&agentid=21938>

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 Head of Information Governance using the details below.

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

**Head of Information Governance**  
**Information and Support**  
**Leicester City Council**  
**FREEPOST (LE985/33)**  
**New Walk Centre**  
**LEICESTER LE1 6ZG**  
e-mail: [foia@leicester.gov.uk](mailto:foia@leicester.gov.uk)

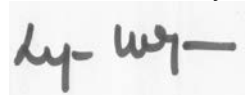
Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

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](http://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 Head of Information Governance before contacting the Commissioner.

Yours sincerely



**Lynn Wyeth**  
**Head of Information Governance**