# FREEDOM OF INFORMATION ACT 2000/ENVIRONMENTAL INFORMATION REGULATIONS 2004

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

# You asked:

**You publish on Open Data a spreadsheet of empty commercial properties taken from the NNDR database. The data does not include the address for correspondence - postal address. I have selected about 100 cases from your data for which I would request a correspondence address. You used to provide this information but no longer do. It may be because the data is publicly available, for example from Companies House.**

**My request is for the postal addresses not publicly available in this way, so for example where correspondence goes to a rating agent. Can I request that these addresses are provided please or simply that 'Agent' is written next to those properties where this is the case?**

**I have attached your previous response to a request I made for this information last year for your ease of reference and my spreadsheet of the cases for which I am currently requesting the data.**

In respect of the information requested, disclosure is refused under the provisions of Section 40 (2)-Personal Information and Section 41-Information in Confidence.

In respect of Section 40, the Council is not required to publish or disclose such information to the wider world (which is how any disclosure made under the FOIA must be viewed) and it is considered that any disclosure of personal data (such as that identifying sole traders would breach Data Protection principles-specifically the First Principle – Lawful, Fair and Transparent Processing; and the Second Principle-Processing for Specified, Explicit and Legitimate purposes.

In summary, the personal data in question is being processed for the purposes of NNDR and not for such further disclosure.

Similarly with Section 41, the Council considers that in respect of other addresses and contact details, taxpayers have a legitimate expectation that details used for this purpose will be held and used in a confidential manner for the purpose they were provided, and not for any further disclosure not actually required by law.

The Council consider that this position is supported by Information Commissioners Office guidance and by a decision of the First-Tier Tribunal: Information Rights, in the matter of an appeal decision regarding Westminster City Council, (Appeal Reference: EA/2018/0033, date of promulgation: 4 December 2019).

You may re-use the information under an Open Government Licence.

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

# Internal Review

**Information Governance & Risk Leicester City Council**

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