

Mr Stephen Nash

Our Ref: 510/412

Date: 29/04/09

Re: Empty Commercial Properties

Dear Mr Nash,

With regards to your above request, I can confirm that we hold this information. We are not, however, in a position to release it to you yet.

We have determined what information we hold and we believe that some or all of the information is subject to certain exemptions as provided for in the FOIA. The specific exemptions that are being considered are:

Section 31 – Law Enforcement
Section 38 – Health and Safety
Section 39 – Environmental Information
Section 40 – Personal Data
Section 43 – Commercial Interests

In all of the above exemptions, with the exception of Section 40, a Public Interest Test will be applied. The Section 40 exemption is absolute and therefore needs no Public Interest Test. Any information that is withheld by virtue of the above exemptions will be described and reasons given.

In addition, following a spate of requests for this information, the Council is considering publishing this information on our website. Should that be case, you will be informed of this decision and we will give you an indication of when it will be published.

Lastly, we are aware of the recent decision by the Information Tribunal regarding empty residential properties and we will take into consideration its findings when determining what information to be released.

I am sorry that we cannot help you at the moment but we will contact you with our decision. As a result of this letter, we are extending the request for another 20 working days from today. This means that the response date is now 29th May 2009. As we are considering exemptions, there is no appeal process available. If required, we will explain to you the appeal procedure in a our response.

Yours sincerely,



David Sinclair
Freedom Of Information Officer