

Response to Request for Information

Empty/Disused, Schools/Community Buildings in and around Wolverhampton City Council

This request is being handled under the Freedom of Information Act 2000.

Request:

Under the Freedom of Information Act 2000, I would like to request a list of all Empty/Disused buildings in the area that you hold. This is to include, names, addresses; and use type

This would mean all buildings that are unoccupied, abandoned, and/or derelict, this includes Business buildings, Schools, and Healthcare buildings etc; owned by Wolverhampton City Council.

I can confirm that Wolverhampton Council holds the information you requested. However we are withholding that information since we consider that the following exemptions apply to it.

Section 17 of the Freedom of Information Act 2000 requires City of Wolverhampton Council, when refusing to provide such information (because the information is exempt) to provide you, the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies:

In relation to your particular request, the following exemptions applies:

Section 31 – Law Enforcement

We are satisfied that the prejudice or harm that is specified in the exemption in Section 31(a) – the prevention or detection of crime – either would or would be likely to occur if:

The information were to be disclosed and clearly relates to the interests which the exemption is designed to protect. Therefore, the exemption is engaged for the addresses of the properties that are subject to this request.

We are satisfied that the disclosure of a list of empty properties would provide those intent on committing crimes associated with such properties an easy way to identify them and therefore there is a causal relationship between disclosure of the withheld

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information and the prevention of crime. The resultant prejudice that would occur is one that can be categorised as one that would be real, actual and of substance.

Publication of the addresses of empty residential properties within the City of Wolverhampton would place them at a significantly higher risk of being the subject of crime and disorder for example, risk of burglary, theft, arson, criminal damage, squatting and drug related offences.

We are satisfied that a disclosure of the information would be likely to prejudice the prevention and detection of crime. We are mindful that disclosures under the FOI Act are considered to be to the whole world and not just the requester.

Therefore, if the information were to disclose details of empty private properties within Wolverhampton it could be used by individuals with criminal intent.

Public interest considerations favouring disclosure

- There is public interest in transparency and accountability of the department,
- Disclosure may promote public understanding
- There is public interest in good decision-making by public bodies
- Consideration of recent decisions by the Information Commissioner's Office related to the disclosure of information in respect of empty properties
- Requested addresses could potentially assist in returning the properties to use if interested parties were able to use the list to easily identify empty houses with the City

Public interest considerations favouring withholding the information

- There is an inherent public interest in crime prevention. To disclose the addresses would aid individuals to commit crimes for example burglary, theft, arson, criminal damage and drug related offences.
- The impact of crime on the individuals who own the properties
- The impact of crime and disruption to neighbours and neighbouring properties of crimes committed in the empty properties
- The impact of crime and disruption on the residents of the surrounding areas where crimes are committed in and around empty properties
- Possibility of squatting and the use of this list by squatters to identify properties to squat in
- The financial cost that such activity incurs to the Police and Public Authorities.
- Reasonable expectation of those whose data it is that the information would not be disclosed, the purpose for which it was collected and a general loss of privacy.

We have concluded that the public interest in the disclosure of the information is firmly outweighed by maintaining the exemption and as a consequence we are withholding the information sought in respect of both empty residential properties owned by

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individuals and non-individuals. In coming to this conclusion, we have also considered previous decisions (FS50623497 Hertsmere Borough Council and FS50538789 Stoke on Trent) made by the Information Commissioner's Office that have upheld the decision to withhold the information.

This response therefore acts as a refusal notice under section 17 of the FoIA.

Please quote the reference number 4541969 in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Information Governance Team
Governance
City of Wolverhampton Council
Civic Centre
St. Peter's Square
Wolverhampton WV1 1SH

Email: foi@wolverhampton.gov.uk

If you are still dissatisfied with the Council's response after the internal review you have a right of appeal to the Information Commissioner, contact details can be found on their website: www.ico.org.uk

I will now close your request as of this date.

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