



## COMPLAINTS AND INFORMATION GOVERNANCE TEAM

Town Hall, Darlington DL1 5QT  
DX 69280 Darlington 6  
Web site: <http://www.darlington.gov.uk>

Mr Gavin Chait

[xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxxx.xxx](mailto:xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxxx.xxx)

Date : 25<sup>th</sup> July 2019  
Please ask for : Rachel Seddon  
Direct Line : (01325) 406777  
Your Reference : -  
Our Reference : DBC-1171-19  
Document Name :

Dear Mr Chait

### Freedom of Information Act 2000 - Information Request

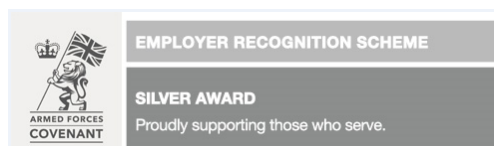
Your request for information, received on 3<sup>rd</sup> July 2019, has now been considered. Below is an outline of your request with our responses added alongside.

***Please provide me with a complete and up-to-date list of all business (non-residential) property rates data for your local authority, and including the following fields:***

- ***Billing Authority Property Reference Code (linking the property to the VOA database reference)***
- ***Firm's Trading Name (i.e. property occupant)***
- ***Full Property Address (Number, Street, Postal Code, Town)***
- ***Occupied / Vacant***
- ***Date of Occupation / Vacancy***
- ***Actual annual rates charged (in Pounds)***

With regard to 'actual annual rates charged', this information is not held in the format requested. We believe that the cost of collating the information in order to respond to your request would exceed the threshold of £450 as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. As a result, we are refusing your request under section 12 of the Freedom of Information Act 2000. A full refusal notice is appended to this letter.

I apologise that we are unable to assist you in this instance. Whilst there is no requirement on the public authority to search for or provide information up to the cost limit, we do have a duty to provide advice and assistance under s16 of the Freedom of Information Act 2000. In this regard, it is likely that the Council will be able to provide the information relating to all other points of your request other than 'actual



annual rates charged', should you wish to refine your request. Alternatively, if you would like to discuss other ways of reformulating your request to bring it within the cost threshold, please do not hesitate to contact me.

If you are dissatisfied with the handling of your request or would like to request an internal review of our response, please write to:

Complaints and Information Governance Manager  
Darlington Borough Council  
Town Hall  
Darlington  
DL1 5QT  
E-mail: [xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxx.xxx.xx](mailto:xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxx.xxx.xx)

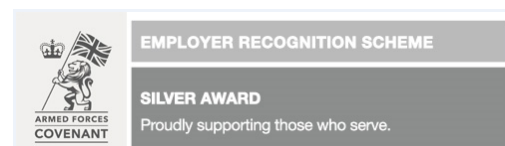
You can also obtain further information from the Information Commissioner at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113  
Website: [www.ico.org.uk](http://www.ico.org.uk)

Yours sincerely



**Rachel Seddon**  
**Complaints & Information Governance Assistant**



## Refusal Notice – Section 12 Freedom of Information Act 2000

Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the 'appropriate limit' as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004:

*"12 Exemption where cost of compliance exceeds appropriate limit*

*(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit".*

The Regulations provide that the appropriate limit to be applied to requests received by local authorities is £450 (equivalent to 2.5 days of work). In estimating the cost of complying with a request for information, an authority can only take into account any reasonable costs incurred in:

*"(a) determining whether it holds the information,*

*(b) locating the information, or a document which may contain the information,*

*(c) retrieving the information, or a document which may contain the information, and*

*(d) extracting the information from a document containing it".*

For the purposes of the estimate the costs of performing these activities should be estimated at a rate of £25 per hour.

Information regarding actual rates charged is held in each individual record. There are approximately 3,810 individual property records.

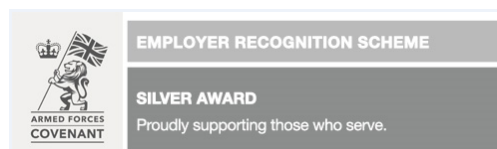
It would take approximately 10 minutes per record to manually access each record and establish the actual rates charged.

3,810 records x 10 minutes = 635 hours

635 hours x £25 = £15,875

As a result, we are refusing your request under section 12 of the Freedom of Information Act 2000.

If you would like to discuss ways of narrowing your request to bring it within the cost threshold, please do not hesitate to contact me.



You have the right to request an internal review of our decision to apply this exemption; details of how to do this are provided in the letter that accompanies this refusal notice.

