



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@xxxxxxxxxxxxxxxxxxx

Date : 5th May 2020
Please ask for : Rachel Seddon
Direct Line : (01325) 406777
Your Reference : -
Our Reference : DBC-0036-20
Document Name :

Dear Mr Chait

Freedom of Information Act 2000 - Information Request

Your request for information, received on 9th April 2020, has now been considered.

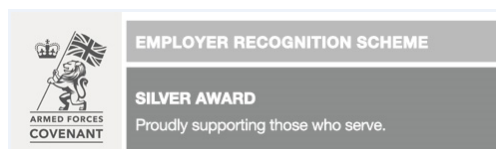
You requested:

In terms of the Freedom of Information Act of 2000, and subject to section 40(2) on personal data, could you 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)***

Our response:

The Council does hold the information you have requested, however 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 points of your request other than 'actual annual rates charged', should you wish to refine your request and resubmit it. 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@xxxxxxxxxxx.xxx.xx

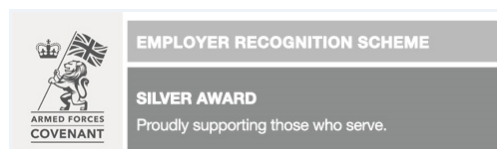
You can also obtain further information from the Information Commissioner at:

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

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.

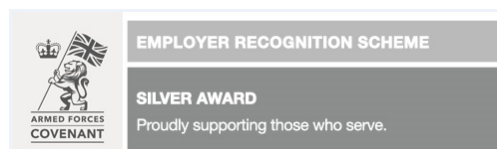
Information regarding actual annual rates charged is held in each business record. In order to determine the actual annual rate charged per business, an officer would be required to manually check each individual business record, taking around 10 minutes per record. The Council holds approximately 4,000 business records.

4,000 records x 10 minutes = 666 hours

666 hours x £25 = £16,650

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.

