

Contact: Lawrence Serewicz
Direct tel: 03000 268038
Email: inforights@durham.gov.uk
Our ref: 2188609



Mr Dominic Ferard
Stockton Flats
80 Hartington Road
Stockton-on-Tees
County Durham
TS18 1HE

4 March 2021

Dear Mr Ferard

Freedom of Information Act 2000

Please accept my apologies for the delay in responding. This request is being handled under the Freedom of Information Act 2000.

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

The information is exempt from disclosure under Section 22(1) of the Freedom of Information Act (FOIA). There is a clear intention to publish the information at a future date in that we intend to publish it when we have a decision from the government and in line with section 22(1)(c) it is considered reasonable in all the circumstances that the information should be withheld from disclosure until the date of publication.

To use this exemption we are required to undertake a public interest test. The matters which were considered in applying the public interest test are as follows:

Factors in favour of disclosure

The opportunity for public scrutiny

The FOIA process is an important method to hold the council to account or to given an account.

Factors in favour of withholding

Resources

Durham County Council, County Hall, Durham DH1 5UF
Main Telephone 03000 26 0000

Text Messaging Service 07797 870 192- your message must start with the word: INFO

The application is to the government so that disclosure could prejudice the application process as it will be submitted to the Secretary of State for approval.

The information that supports the application as well as the information that informed the application has been published as part of report to the Cabinet and the Council.

The democratic process associated with the public meetings that have considered the proposal for the Selective Licensing Scheme offer an effective opportunity for the public to scrutinize the council as well as hold it to account.

It is considered that the greater public interest therefore lies in not providing the information at this time. In coming to that conclusion, the public interest in providing the information has been carefully weighed against any prejudice to the public interest that might arise from withholding the information; in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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

Please quote the reference number 2188609 in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Please put your grounds for an appeal in writing and email us back explaining which internal review applies.

- Late (you want us to explain why the response was late or has not yet been provided)
- Disagree with exemption (wrong exemption, or applied incorrectly)
- Disagree with the public interest test (Explain in detail why you believe the public interest test favours disclosure.)
- Request is incomplete, information is missing (indicate what is missing), information is inaccurate Information is not what was requested.

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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 inforigxxx@xxxxxx.xxv.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 at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF.
Telephone: 01625 545 700
Website: www.ico.gov.uk

We would like to hear your views on our service. If you'd like to tell us how we did, you can complete our feedback form online at <http://www.yourwebsite.co.uk/foifedback>

I will now close your request as of this date.

Yours sincerely

Lawrence Serewicz
Information and Records Manager

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