

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

xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxxxxxx.xxx

Date : 27th May 2020
Please ask for : Rachel Seddon
Direct Line : (01325) 406777
Your Reference : -
Our Reference : DBC-0091-20
Document Name :

Freedom of Information Act 2000 - Information Request

I am looking for a list of long term empty residential properties within the Council area. Would you be able to supply me these

If this information was held by the Council, we believe that it would be exempt from disclosure under Section 31(1) – Law Enforcement. Please refer to the refusal notice appended to this letter.

along with the registered owners address under the Freedom of Information Act?

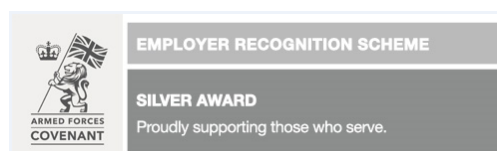
Information regarding the registered owners of properties can be found by carrying out a search of the Land Registry at the following address:

<https://www.gov.uk/search-property-information-land-registry>

As a result, the information is exempt from disclosure under section 21(1) of the Freedom of Information Act 2000. A full refusal notice is appended to this letter.

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

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

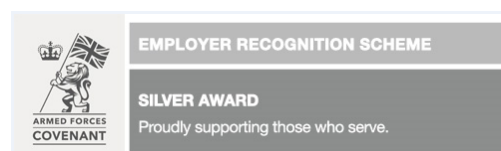
Website: www.ico.org.uk

Yours sincerely



Rachel Seddon

Complaints & Information Governance Assistant



Refusal Notice – Section 31(1) Freedom of Information Act 2000

Section 31(1) of the Freedom of Information Act 2000 (the Act) states that:

“Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice-
(a) the prevention or detection of crime...”

In this case, we believe that the disclosure of a list of long term empty residential properties within the Council area would prejudice property owner’s ability to prevent crimes such as vandalism or criminal activity.

We are not, of course, suggesting that you would use the information in this way, but when we respond to a request under the Act, we have to assume that the information will be placed in the wider public domain, particularly given that we are unable to control it once it has been disclosed.

Public interest test

Factors for disclosure

- Disclosure could promote the re-use of long-term empty properties in the area.

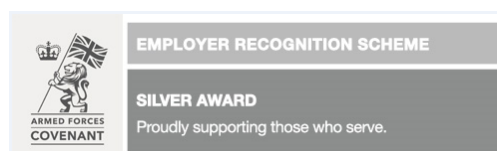
Factors for withholding

- Withholding the information will prevent squatting or criminal damage which might occur should the addresses of empty properties be disclosed to the wider public.
- Withholding the information will enable property owners to keep their properties better protected.

Reasons why public interest favours withholding information

- There is an increased danger of criminal damage to properties or use of properties by squatters if the addresses are in the public domain. In particular, websites aimed at squatters advise on empty properties which might be accessible.
- Individuals are less likely to be able to protect their properties against criminal damage or other invasive activity.
- Therefore for those properties owned by individuals the public interest lies in withholding the information to enable them to better protect and secure their properties.

Given the relative weight of the public interest factors listed above, we believe that the public interest lies in maintaining the exemption at this time. As a result, we are withholding the information under section 31(1)(a) of the Act.



You have the right to appeal against our decision to refuse this element of your request; details of how to do this are contained within the letter that accompanies this refusal notice.

Refusal Notice – Section 21(1) Freedom of Information Act 2000

Section 21 of the Freedom of Information 2000 provides that:

“(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment...”

Information regarding the registered owners of properties can be found by carrying out a search of the Land Registry at the following address:

<https://www.gov.uk/search-property-information-land-registry>

As a result, we believe that the information is already reasonably accessible to you.

This exemption is not subject to the public interest test.

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.

