



## FREEDOM OF INFORMATION ACT 2000

### QUALIFIED EXEMPTION FROM DISCLOSURE OF DOCUMENTS/INFORMATION

FOI 18/1645

**Applicants Name:** Shaahid Quinn

**Date of Request:** 8th December 2018

**Information sought:** I am writing to ask you to supply details of The address (including street number and postcode) of homes that (a) have been empty for over 6 months, (b) have been empty for under 6 months, (c) your empty homes strategy including what empty homes (if any) you prioritise.

Under the powers delegated to me by Caerphilly County Borough Council and having considered representations made to me by officers of the Council, I have made the following decision:-

#### Details of Exemption Applied

S.31 (a) - Law Enforcement – the prevention or detection of crime.

This section of the Freedom of Information Act sets out an exemption from the right to know, if the release of the information would or would likely prejudice (harm) the prevention or detection of crime.

As this exemption is a qualified exemption a two-stage test would need to be applied in order to engage this exemption.

1. Prejudice which would or would likely result if the information were disclosed:

A request under the Freedom of Information Act is not just a request by the applicant for the information to be released to them, but a request to put the information in question into the public domain so that everyone can access it. We must consider the negative purposes this information could be used for if put into the public domain, and this is not a judgement on you. Possible negative purposes for this information would include squatting and stripping an empty property of fixtures and fittings. Therefore putting a list of empty properties into the public domain, available to all, could prejudice the prevention of crime.

2. The public interest test

There are a number of public interest arguments in favour of the disclosure of this information, which would include:

- The possibility that disclosure would lead to a reduction in the number of vacant properties.
- Raising the profile of the issue in order to encourage public debate.

There are also a number of public interest arguments in favour of withholding this information, which would include

- The likely prejudice to the prevention of crime.
- The avoidance of damage to property.
- The potential indirect impact on the neighbouring properties should crimes be perpetrated on vacant properties.
- The impact of crime on the owners of vacant properties.

It is my view that the anticipated consequences set out above, should the information be released outweighs the case in favour of disclosure. There is an extremely strong public interest in the prevention of crime against society in general and therefore, I consider the public interest to be greater in withholding the information.

**Decision on exemption from disclosure:**

Questions (a) and (b) are exempt from disclosure under the Freedom of Information Act for the reasons mentioned above.

**Authorised Officer**

**Name:** Lisa Lane

**Position:** Corporate Solicitor

**Signed:**



**Date:**

29th January 2019