



## South Tyneside Council

John Robertson  
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Date: 17th September 2013  
Our Ref: FOI 13 12889

Dear Mr Robertson

### **Freedom of Information Request**

I refer to your Freedom of Information Request received on 27<sup>th</sup> August 2013.

Your request asked for the following information:

#### **Your Request**

Would you please provide me with a detailed breakdown of all monies / grants / funds paid by the Council to a Charity by the name of Arts 4 Wellbeing based in South Shields over the past 3 years.

I am aware that 3 local Councillors Iain Malcolm / John Wood / Ed Malcolm are actively involved with this Charity.

The Charity Commission website confirms that this Charity has received in excess of £250,000 VOLUNTARILY from the Council in the past 3 years, could you please confirm the exact figure.

Would you also please provide an explanation why the Council agreed to write off £21,666 to this Charity, as stated on the Charity Commission website within this Charities accounts?

What was the reasons for writing off this vast amount of taxpayers funds in these times of austerity ?

Exactly who made this decision to write off this debt, if it was a committee please provide the names of the members present when the decision was made.

Would you please confirm if the Council owns the building where this charity is based.

If the Council does own this building, could you please provide me with the details of--

The lease & agreed rent etc that this Charity has signed with the Council and exactly what they have paid to the Council over the past 3 years.

Would you please inform me what rates the Council has charged/ received from this charity over the past 3 years.

Would you please provide me with a breakdown of the costs of repairs / maintenance which the council has carried out / financed on this building over the past 3 years.

Please advise me if the Council directly or indirectly finances any staff who are INVOLVED with this charity.

Please provide me with a comparison breakdown of expenditure by the Council over the past 3 years for this Charity against the Councils expenditure for Queens Road day centre Jarrow.

### **Council's Response**

We can confirm the following information with regards your request above.

Having taken legal advice, the Council has refused this particular request and relies upon Section 14 of the Freedom of Information Act 1998 as it considers that it is vexatious. In coming to this conclusion, the Council has considered your conduct towards the Council, South Tyneside Homes and others with whom those organisations work, over the last 5 years.

Your request is considered to be submitted with the intention of causing harassment, and in view of your previous conduct, it has the potential to cause a disproportionate or unjustified level of disruption, irritation or distress.

### **Copyright Procedure**

The information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use this information for your own purposes, including any non-commercial research you are doing and news reporting. Any other re-use of this information, for example commercial publication requires the permission of the Council as the Copyright holder. All re-use requests will be treated under the Re-Use of Public Information Regulation 2006.

### **Internal Review Procedure**

If you are dissatisfied with the handling of this enquiry you can invoke the Council's internal review procedures to ask for an independent review of your request. All such requests must be sent to us within 4 weeks and must clearly state in writing your reference number and your reasons for your request for internal review.

The Information Governance Team can be contacted at the following address: Information Governance Team, Central Library, Prince Georg Square, South Shields, Tyne and Wear, NE33 2PE.

### **Information Commissioner's Office (ICO)**

Should you remain dissatisfied with the final outcome of the internal review process you can write to the Information Commissioner to ask for an independent review. The Information

Commissioner is the Government's Independent Body responsible for overseeing the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004.

Please do note the ICO will only review cases that have exhausted the Council's internal review procedures. All correspondence to the ICO must quote the Council's reference number and your reasons for your appeal.

The ICO's contact details are as follows: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF. More information can be found on the ICO's website at [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk).

If you have any further queries about this matter, please do not hesitate to contact us on (0191) 424 6539, or by emailing [foi@southtyneside.gov.uk](mailto:foi@southtyneside.gov.uk).

Yours sincerely

**Paul Robinson**  
Corporate Lead, Corporate Affairs