



Information Officer  
Hastings Borough Council  
Muriel Matters House  
Breeds Place  
Hastings  
TN34 3UY

Mr. Hurrell

14 High Wickham  
Hastings  
TN35 5PB

Dear Mr. Hurrell

I refer to your recent request for information from this authority. Our response to your request is below.  
You have the right to request an internal review if you are not satisfied with any aspect of the way we have handled your request for information or its content.

Once an internal review has been conducted and you still remain dissatisfied you may complain to the Information Commissioner who will decide whether the request has been handled properly.

Please note: The Information Commissioner cannot generally make a decision unless our internal review process has first been exhausted. The Information Commissioner can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 AF

[www.ico.org.uk](http://www.ico.org.uk)

Yours sincerely

Lisa Greathead  
Information Officer  
Muriel Matters House  
Breeds Place  
Hastings  
TN34 3UY  
01424 451066  
E Mail: [informationofficer@hastings.gov.uk](mailto:informationofficer@hastings.gov.uk)

Subject: HS/All correspondence FA/19/00564 | Retention of chicken coop, shepherds hut and storage shed. | Little Warren Cottage

Details of Request:

HS/All correspondence FA/19/00564 | Retention of chicken coop, shepherds hut and storage shed. | Little Warren Cottage  
This application has been withdrawn.

Please provide copies of all correspondence between HBC and the applicant/applicant agents for this application (FA/19/00564 ).

**This information is held**

Response:

This application has been withdrawn.

Please provide copies of all correspondence between HBC and the applicant/applicant agents for this application (FA/19/00564).

## **NOTICE OF REFUSAL**

Your request to receive copies of all correspondence between HBC and the applicant/applicant agents for this application (FA/19/00564) is being refused under Exception 12(4)(b) Manifestly Unreasonable on the grounds that the request is vexatious.

The application FA/19/00564 - Retention of chicken coop, shepherds hut and storage shed at Little Warren Cottage has been withdrawn therefore it has been questioned as to why this information has been requested and what relevance it will have if disclosed.

In practice there is no material difference between a request that is vexatious under Section 14(1) of the Freedom of Information Act (FOIA) and a request that is manifestly unreasonable on vexatious grounds under the Environmental Information Regulations (EIR).

To define a request that is vexatious public authorities should consider the following questions taking into account the history of the request.

1. Can the request be seen as obsessive
2. Is the request harassing the authority or causing distress to staff
3. Would complying with the request impose a significant burden in terms of expense and distraction
4. Is the request designed to cause disruption and annoyance
5. Does the request lack any serious purpose or value

In considering these questions the council would comment as follows:

1. a) The application has been withdrawn the release of the information has no relevance b) publication of images of private property
2. The constant stream of requests, internal reviews and queries has caused immense distress to staff over many years
3. Hastings Borough Council has spent a huge amount over the years dealing with request/refusals and internal reviews which has cost the council a significant amount of money in officer time
4. At the 2015 SEG AGM along with comments made on Facebook, it is clear that SEG want to cause annoyance and disruption to Hastings Borough Council
5. It is felt that this request is only relevant to a handful of individuals at most and has no serious purpose or value other than your own

Exception 12(4)(b) is subject to a public interest test. This means that a public authority can refuse to disclose information under these exceptions if in all the circumstances of the case the public interest in maintaining the exception outweighs the public interest in disclosing the information.

Factors for disclosure:

- a. Transparency and accountability

Factors against disclosure:

The public interest in maintaining this exception lies in protecting public authorities from exposure to:

- a. Disproportionate burden.
- b. Unjustified level of distress
- c. Disruption in the handling of other information requests

For the reasons given above we will not be communicating to you the information you have requested.

**End of Request**

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