



Mark House

Information Management  
Shire Hall  
Warwick  
CV34 4RL  
**Telephone** 01926 412211  
**Email** brucegreen@warwickshire.gov.uk

**Please ask for Bruce Green**

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**Our ref:** 7209188

**Your ref:**

**Date:** 25th October 2021

Dear Mark House

**Freedom of Information Act 2000**

Your request for information has been considered by Warwickshire County Council under the Freedom of Information Act 2000.

I can confirm that some of the information you have requested is held by Warwickshire County Council. However, please be advised we are unable to provide all of the information you have requested.

This is because some of the information you have requested is not held by Warwickshire County Council.

Also, we consider that some of the information is exempt under Section 40 (Personal information) of the Freedom of Information Act 2000, and some under Section 42 (Legal professional privilege) of the Freedom of Information Act 2000.

Please see below for further details and explanation.

You asked us:

***Please could you inform me of the legal, redundancy and associated closure costs in relation to Marle Hall.***

***Can this be broken down in part to show advise taken on FIO's or by councillors in response to correspondences with residents.***

***Yours faithfully.***

### Legal costs

The Council has not instructed any external solicitors in relation to the closure of the Marle Hall. The Council has inhouse solicitors and there is an internal billing rate to record the amount of time spent by lawyers in advising the Council which is moved from the relevant service area's budget to the budget of Legal Services. However, we cannot provide you with the amounts of time or internal charge in relation to the closure of Marle Hall because it is exempt under section 42 of the FOIA (legal professional privilege).

Legal professional privilege protects confidential communications between lawyers (including inhouse lawyers) and clients (including the Council). Revealing the amount of time spent advising on Freedom of Information Act requests or on matters related to the closure of Marle Hall would reveal the subject of a confidential communication between a lawyer and client. Accordingly, internal legal costs are exempt from disclosure under section 42 of the FOIA.

### Redundancy costs

We cannot provide you with the estimated redundancy costs in relation to the closure of Marle Hall because this information is exempt from disclosure under section 40(2) of the FOIA (protection of third party personal data).

Section 40(2) exempts information where complying with the request would breach any of the principles in the UK GDPR. 'Personal data' means any information relating to an identified or identifiable living individual. There is only a small pool of permanent staff members employed at Marle Hall so we consider that they are identifiable individuals. Disclosing the amount of the redundancy costs estimated to be payable to those staff members would not be fair to the individuals concerned.

We have considered whether we could disclose the total estimated amount rather than breaking it down into the estimated amount for each individual staff member. However, we have concluded that with only 8 members of staff, revealing the total figure would give an indication of the range of the estimated redundancy payment for each individual. Accordingly, disclosure of the information would contravene Article 5(1)(a) of the UK General Data Protection Regulation in that there is no lawful or fair basis for processing the information. This information is therefore exempt from disclosure under section 40(2) of the FOIA.

### Associated closure costs

There may be external costs that arise in future in relation to the closure of Marle Hall, such as property maintenance and security. These have not yet arisen and so do not fall within the scope of your request. You may like to repeat this request after a reasonable period has elapsed.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within 40 days of the date of receipt of the response to your original letter and should be addressed to:

Information Management  
Shire Hall  
Warwick  
CV34 4RL  
[inforights@warwickshire.gov.uk](mailto:inforights@warwickshire.gov.uk)

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Phone: 0303 123 1113  
Website: [www.ico.gov.uk](http://www.ico.gov.uk)

I will now close your request as of this date.

Yours faithfully

Bruce Green  
Information Rights Officer