

C&CR FOI Investigation Team

1st Floor Westfields
C/O Municipal Buildings
Earle Street
CREWE
CW1 2BJ
Telephone: 0300 123 5500
foieast@cheshireeast.gov.uk

Mrs Gisela Lyshetti
watch tower property management

Date: 10 December 2019
Our Reference: 6960489

Dear Mrs Lyshetti

Information Request - 6960489 - List of Empty Homes

I am responding to your request for information, which has been considered under the Freedom of Information Act 2000 (FoIA) and logged as case 6960489.

Your request is as follows:

Could you please supply me with the details of all empty properties you hold on your register and details of the property owners wherever possible.

I request the details for domestic and retail and commercial properties within your area.

Our agency helps with protecting vacant properties from possible risks associated with vacant premises.

We felt that the "old" way of managing properties needed to be transformed to offer a fully managed solution at no cost to the property owner.

This started with the philosophy that WPM will truly look after your investment and improve long term returns, or for non-investment properties, we will maintain its integrity and security.

At the centre of this story is one big idea, a committed, loyal and trustworthy Guardian community that will protect the owner's property from the threat of fire, squatting, theft and vandalism.

Heading in to a period of the Christmas holidays whereby squatting and wanton vandalism occurs more frequently in the vacant property market, in exchange for us managing your property, we are offering the following.

I confirm that Cheshire East Council holds the information you have requested. However, I am unable to provide you with that information as I consider that the following exemptions apply to it.

The information requested is exempt from disclosure under Section 31(1) of the Freedom of Information Act (FOIA). Disclosure of this information would be likely to prejudice:

The prevention or detection of crime, and therefore Section 31 of the Act is engaged.

To use this exemption we are required to undertake a public interest test. The matters which were considered in applying the public interest test are as follows:

Factors in favour of disclosure

Cheshire East Council wishes to be as open and transparent as possible.

Factors in favour of withholding

The Council has considered the public interest in disclosing a list of empty homes in the area. The Council considers that any disclosure made under the Act is a disclosure to the wider world and not to a specific individual for a particular purpose. The council is therefore concerned that disclosure would identify properties to the risk of potential crime.

It is considered that the greater public interest therefore lies in not providing the information at this time. In coming to that conclusion, the public interest in providing the information has been carefully weighed against any prejudice to the public interest that might arise from withholding the information; in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

This response therefore acts as a refusal notice under section 17 of the FOIA.

Under section 16 – Duty to provide advice and assistance, we could provide part of the post code as per the Local Government Transparency Code 2015, which advises the following when publishing details of Council owned vacant properties: *“for vacant properties, local authorities should not publish the map reference or full address details, they should only publish the first part of the postcode”* e.g. we could disclose CW12 4## for this request.

Please quote the reference number 6960489 in any future communications.

Please note that an anonymised copy of this response may be published in the Council's Disclosure Log, which is available online at the following address: www.cheshireeast.gov.uk/foi

If you are not satisfied with the outcome of your request or if you are not happy with the way your request has been handled, you can request an internal review. Internal review requests should be submitted within 20 working days of our response by emailing foi@cheshireeast.gov.uk or in writing to Compliance & Customer Relations Team, Cheshire East Council, 1st Floor, Westfields, c/o Municipal Buildings, Earle Street, Crewe, CW1 2BJ.

If you are not content with the outcome of the internal review, you then have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF; Tel: 0303 123 1113; Fax: 01625 524510 or <https://ico.org.uk> The Information Commissioner will not normally investigate your case until the Council's internal review process has been completed.

Yours sincerely

Gill Clowes

Customer Relations and Compliance Assistant - Cheshire East Council