

Will Hayes
Email: request-394078-
51035708@whatdotheyknow.com

Our Ref : JDJ/FOI/132/17
Your Ref :
Date : 21 March 2017
Ask For : Joan Jones
Ext : 1601
Email : joan.jones@ambervalley.gov.uk

Dear Mr Hayes

Freedom of Information Act 2000 – Request for Information

Thank you for your email received 8 March 2017 requesting the following information:-

“I would like to know which alcohol licensed premises are required to sell beverages in plastic glasses.”

Our obligation

The Council is treating your request as having been made under the Freedom of Information Act 2000 (the “Act”).

When dealing with requests for information, the Council’s obligations include:

- (1) confirming or denying whether it holds information of the description specified in the request; and
- (2) Communicating the information requested to the applicant. You should note that this is effectively a decision that the information can be released into the public domain and not simply to the specific applicant.

Under the Act, the Council is required to release any information that it holds to you unless an exemption applies.

Response to your request

I confirm that the information you have requested is held. However, the Council considers that the information is exempt from release under section 12 of the Act.

This exemption applies where the cost of complying with the request for information exceeds the appropriate limit which is currently set at £450.

The method of calculating the cost of complying with the request is set out in The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulation 2004. In this instance, we have calculated the cost of complying with your request would exceed the limit of £450, calculated on the basis of £25 per person, per hour for each hour spent:

- determining whether the information is held;
- locating the information, or a document containing it;
- retrieving the information, or a document containing it; and
- extracting the information from a document containing it.

Providing the information requested would involve the Council manually opening each individual record and extracting the details and documentation. On this basis, I have estimated that it would take approximately 6 minutes to interrogate the account in question and compile a list of the information requested. All conditions added to each licence would have to be checked, together with every operating schedule to see if the usage of plastic glasses was mentioned anywhere in each licence. The Council currently holds 298 records for on-licensed premises which would all need to be reviewed which would take approximately 30 hours (298/10 records per hour). On the basis of £25 per person, per hour, this would cost approximately £750.00.

Unfortunately, the Council does not currently have a computer programme available to it that could automatically extract this data, hence the fact that this would need to be undertaken manually.

As a public authority, we are required to assist you in narrowing down the scope of your request in order that it falls within the cost limit. If you wish to resubmit your application with less requirements we will look at it again.

If you are dissatisfied with the handling of your request, you may ask the Council for an internal review of the decision within 20 working days. Someone other than the person who took the initial decision will conduct the internal review. Requests for an internal review should be addressed to the Civic Links and FOI Officer at the above address. If, following the internal review, you are still not happy with the outcome; you have the right of appeal to the Information Commissioner at:

Information Commissioner's Office
Wycliff House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 745
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk

If you have any further queries, please contact me either in writing at the above address or by telephone on 01773 841601 and quote your ID No 132/17.

To help us to improve the quality of our responses to future Freedom of Information requests, any feedback you may have on this response would be appreciated. A copy of the Council's Customer Comments leaflet is attached to assist you.

Yours sincerely

Joan D Jones (Mrs)
Civic Links & FOI Officer