

Our ref: 684133
21 February 2018

G Allans

???

Freedom of Information Act 2000

Dear Sir/Madam

This request is being handled under the Freedom of Information Act 2000.

Request

“When maintenance work on a council dwelling requires access to a neighboring property (e.g. Scaffolding support which crosses a boundary).

1.Could you please tell me:

How it is established that the property requiring access is council or private?

2.Could you please tell me:

If it is established that the property is private, then what procedure is followed

to contact the owner?

3.If the procedure is to write to owner with an access request.

Could you please tell me from December 2007 until December 2017:

How many requests letters have been sent?

How many received a positive response?

How many received a negative or no reply?

How many times a court order was obtained to enforce access?

4.If there is no procedure to contact the owner or no records kept, then could you please tell me how disputes are resolved?”

Response

“When maintenance work on a council dwelling requires access to a neighboring property (e.g. Scaffolding support which crosses a boundary).

- 1.Could you please tell me:**

How it is established that the property requiring access is council or private?”

Performance & Support Services

Place Directorate
PO Box 2122
3rd Floor, Council House Extension
6 Margaret Street
Birmingham
B3 3BU

Tel: 0121 675 2336 – 675 7508

Email: xxxxx.xxx@xxxxxxxxxxx.xxx.xx

Web: www.birmingham.gov.uk/foi_disclosure

We carry out checks of our computerised records which show whether a property is owned by Birmingham City Council or not.

- **“2.Could you please tell me:
If it is established that the property is private, then what procedure is followed to contact the owner?”**

I enclose the process that our contractors have agreed to follow. This is a generic process for adjoining properties owned by us as well as those in private ownership and it is followed according to the circumstances of each particular case.

- **“3.If the procedure is to write to owner with an access request.
Could you please tell me from December 2007 until December 2017:
How many requests letters have been sent?
How many received a positive response?
How many received a negative or no reply?”**

Birmingham City Council does not hold this information.

How many times a court order was obtained to enforce access?”

To date we have never needed to use a court order to enforce access.

- **“4.If there is no procedure to contact the owner or no records kept,
then could you please tell me how disputes are resolved?”**

Please refer to our answer to question 2.

Please quote the reference number 684133 in any future communications.

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 two months of the date of receipt of the response to your original letter and should be addressed to:

Corporate Information Governance Team
PO Box 16366
Birmingham
B2 2YY
Email: xxxxxxxxxxxxxx@xxxxxxxxxx.xxx.xx

Performance & Support Services

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3rd Floor, Council House Extension
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If you are still dissatisfied with the Council's response after the internal review you have a right of appeal to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF.
Telephone: 01625 545 700
Website: www.ico.gov.uk

I will now close your request as of this date.

Yours faithfully

Ben Harpwood

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