

## Response to Request for Information

Reference      FOI 002341  
Date            24 May 2018

### ***Abandoned/Derelict or Unoccupied Properties***

#### **Request:**

Under the Freedom of Information Act 2000, I would like to request a list of all Abandoned/Derelict or unoccupied buildings in the Wolverhampton area that you hold.

This includes names, addresses and use type.

This would mean all buildings that are unoccupied, abandoned and/or Derelict, and include Business, buildings owned or held by Wolverhampton Council, and health care buildings etc.

I am not however asking for a list of empty residential homes which are available for rent/purchase.

In response to your above questions, your request for this information has now been considered and the City of Wolverhampton Council is not obliged to supply the information you requested for the reasons set out below.

Section 17 of the Freedom of Information Act 2000 requires City of Wolverhampton Council, when refusing to provide such information (because the information is exempt) to provide you, the applicant with a notice which:

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies:

In relation to your request, the following exemption applies:

We are not obliged to provide information if its release would prejudice law enforcement as defined under Freedom of Information Act, Section 31(1)(a) – Law Enforcement. In this case, we believe that releasing detailed information such as unoccupied properties creates a security risk and is likely to prejudice the prevention or detection of crime.

In line with the terms of this exemption in the Freedom of Information Act, we have also considered whether it would be in the public interest for us to provide you with the information, despite the exemption being applicable. In this case, we have concluded that the public interest favours withholding the information.

You can find out more about Section 31 by reading the extract from the Act and some guidance points we consider when applying this exemption, attached at the end of this letter.

You can also find more information by reading the full text of the Act, <http://www.legislation.gov.uk/ukpga/2000/36/section/31> and further guidance

When assessing whether or not it was in the public interest to disclose the information to you, we took into account the following factors:

### **Public interest considerations favouring disclosure**

- There is public interest in transparency and accountability of the department,
- Disclosure may promote public understanding
- There is public interest in good decision-making by public bodies

### **Public interest considerations favouring withholding the information**

Disclosing the unoccupied properties creates a security risk and therefore the Council recognises that there is a public interest in reducing potential criminal activity at these properties especially owned by private individuals.

In reaching this decision we have referred to the ICO Decision Notices as listed below:

[https://ico.org.uk/media/action-weve-taken/decision-notices/2014/1042144/fs\\_50538789.pdf](https://ico.org.uk/media/action-weve-taken/decision-notices/2014/1042144/fs_50538789.pdf)

<https://ico.org.uk/media/action-weve-taken/decision-notices/2017/2013677/fs50623497.pdf>