

Response to Request for Information

Reference FOI 003012
Date 28 November 2018

Energy Efficiency

Request:

FOI 1

Since 1st April 2018, how many individual cases of enforcement proceedings have commenced with non-compliant commercial properties within the local authority (both Local Authority owned and privately owned) in accordance with the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015?

None

For each case please list: [N/A](#)

- What Energy Performance Certificate (EPC) rating the property had
- Date enforcement proceedings began

FOI 2

Since 1st April 2018, how many successful prosecutions have taken place for non-compliant commercial properties within the local authority (both Local Authority owned and privately owned) in accordance with the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015?

None

For each case please list: [N/A](#)

- What Energy Performance Certificate (EPC) rating the property had
- Date enforcement proceedings began
- Outcome of prosecution

FOI 3

Please provide a breakdown of the Energy Performance Certificate (EPC) rating of all commercial properties owned by the local authority.

- Please provide the overview in both numbers and percentages for all commercial properties rated A-G, i.e. i.e. X number (Y%) are B rated and X number (Y%) are C rated.

In response to your above question, Section 1 of the Freedom of Information Act 2000 places two duties on public authorities. Unless exemptions apply, the first duty at:

- Section 1(1) (a) is to confirm or deny whether the information specified in a request is held.
- The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

In respect of your above question, it has been established after careful consideration that the Council does not hold the above information.

Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Act, that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".

However, please see information provided on page 4 which we hope you will find useful.

- Please provide the number of any commercial properties that do not yet have an EPC rating and state any reasons why.

In response to your above question, Section 1 of the Freedom of Information Act 2000 places two duties on public authorities. Unless exemptions apply, the first duty at:

- Section 1(1) (a) is to confirm or deny whether the information specified in a request is held.
- The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

In respect of your above question, it has been established after careful consideration that the Council does not hold the above information as the Estates Service are currently reviewing EPC requirements for commercial properties as part of an ongoing energy efficiency programme.

Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Act, that states:

[NOT PROTECTIVELY MARKED]

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".

However, please find the link below which provides you with the Non Domestic Energy Performance Register. From this you will be able to identify which properties do not have an EPC.

<https://www.ndepcregister.com/>