



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
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Further to your information request FOI/EIR 21/22-025 please find your question and our response below.

Request:

We are far in the process of purchasing a property on [REDACTED] and recently it has come to our attention that the direct neighbours [REDACTED] are very unsociable and causing a lot of nuisance in the neighbourhood and Village. I would like to know if there have been any (formal) complaints against them and what action has been taken. This information will be helpful in making our decision whether we will go ahead with the purchase or pull out while we still can. As first-time buyers this property is our dream home and the village and neighbourhood seems really lovely, I would like to understand how it is possible that one family can get away with upsetting the whole neighbourhood for such a long time. This information was obtained by speaking with other neighbours in the area.

Response:

We are not legally allowed to disclose information which constitutes the personal data of a third party. We therefore can neither confirm nor deny that we hold the information requested.

In respect of those requests that were answered in full or partially and the total refused please take this as notice under FOIA, that we:

- a) Consider the information as exempt from disclosure under the Act;
- b) Claim exempt under sections of the Act:

Section 40(2) and Section 40(3) of the Freedom of Information Act 2000

- c) State why the exemption applies:

Section 40 of the Freedom of Information Act 2000 states the following:

- 1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.**
- 2) Any Information to which a request for information relates is also exempt information if –**
 - a. it constitutes personal data which do not within subsection (1), and**
 - b. either the first or the second condition is satisfied.**
- 3) The first condition is-**
 - a. in a case where the information falls within any of the paragraphs (a) to (d) of the definition of 'data' in Section 1(1) of the Data Protection Act 2018, that the disclosure of the information to a member of the public otherwise than under this Act would contravene –**
 - i. any of the data protection principles, or**
 - ii. Section 10 of that Act (right to prevent processing likely to cause damage or distress), and**
 - b. in any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in Section 33A(1) of the Data Protection Act 2018 were disregarded.**

As disclosure of the information would contravene the first data protection principle, where information should be processed (defined to include obtained) fairly and lawfully, this information is exempt from disclosure under Section 40(2) and Section 40(3) of the Freedom of Information Act 2000.

This concludes your request FOI/EIR 21/22-025

If information has been refused please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in the first instance you may approach foi@eastcambs.gov.uk and request a review. A request for review

must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.