



Further to your information request FOI/EIR 23/24-457, please find your question and our response below.

Request:

I could not find a specific form and am hoping that this email is sufficient to process my request but please let me know should you require any specific information. I am interested in the address of all properties reported to the council as empty and, ideally, the date the property was reported.

Response:

East Cambridgeshire District Council does not release the addresses of empty and abandoned properties in the area, as under the Data Protection Act 2018, addresses are considered 'Personal Information'.

In respect of those requests that are answered in full, partially or 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 (1) – Personal Information (ABSOLUTE)

- c) State why the exemption applies:

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.

We also do not release the addresses of empty residential properties as we consider disclosing this information would make them a target of crime. Therefore, this information is exempt from disclosure under Section 31 of the Freedom of Information Act 2000.

In respect of those requests that are answered in full, partially or 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 31(1)(a) – Law Enforcement

- c) State why the exemption applies:

31(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice - (a) the prevention or detection of crime.

We believe that releasing this information would increase the likelihood of:

- Empty properties being lived in by squatters. Squatting in a residential property is now a criminal offence.
- Empty properties being targeted by vandals or graffiti artists and stripped of materials such as roofing, cables or piping, or otherwise vandalised or damaged.
- Empty properties being targeted by criminals or terrorists for example allowing them to hide or store the proceeds of crime, or criminal or terrorist materials.

Factors in favour of disclosing

- There are general arguments in promoting the transparency and accountability of public authorities

- Raising the profile of vacant properties would help encourage public engagement and debate.

Factors in favour of withholding

- There is an inherent public interest in crime prevention. (Voyias and LB Camden EA/2011/0007)
- There is public interest in avoiding the costs associated with squatting, for example, repair, security and eviction costs.
- The negative impact of squatting affects the surrounding community and public authorities involved, not just the individual property.

We believe that the balance of public interest lies in upholding the exemption and not releasing the information.

This concludes your request FOI/EIR 23/24-457.

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.