

REQUEST	HOUSING REPAIR DELAYS	RESPONSE
1) How many properties do wigan council as landlords have repairs on hold due to legal disputes by the tenants?		<p>Under the Freedom of Information Act 2000, the Council is not required to disclose information it holds where there is a valid exemption. In this case, the Council believes that the information requested would be used to make claims against the Council, not only (or necessarily) by the requestor but by other parties as once information is disclosed under a Freedom of Information request, it is presumed to be disclosed to the world at large. This would create an unnecessary burden on the resources of the Council which are focused on the delivery of services to the residents and businesses of the Borough.</p>
2) Also what is the total number of properties wigan council acts as landlords for.		<p>An increase in claims – whether valid or not – would be likely to lead to an increase in insurance premiums, in addition to the staff time necessary to manage the claims. For those reasons, we believe that to disclose the information would be likely to prejudice the commercial interests of the Council and we are applying an exemption to disclosure under section 43(2) of the Freedom of Information Act 2000. This is a qualified exemption which is subject to a Public Interest Test.</p> <p>The Council is committed to transparency in its operations and adopts a presumption of disclosure in responding to FOI requests and recognises the public interest in such an approach. There is also a public interest in the Council managing its limited resources from council taxpayers and business rates efficiently and effectively in order to deliver the full range of public services it is statutorily required to. There is also a public interest in avoiding unnecessary claims which could be prompted by publishing information from the Council of the sort requested; remember that a response to an FOI request is deemed to be to the world at large. Having carefully considered the weight of the above matters, the Council believes the public interest would be better served by not disclosing this information and applies an exemption under section 43(2).</p>