



**Wigan<sup>♥</sup>  
Council**

## Request

Under the Freedom of Information Act 2000, I would like to request the following information:

1. The number of reports received by your Trading Standards office in the past 12 months regarding sellers who have taken payment for goods but failed to deliver them and have also refused to issue a refund or respond appropriately.
2. The reported total or estimated value of the undelivered items in these cases

## Response

We do not hold the information that you have requested in an easily retrievable format. Section 12 of the Freedom of Information Act 2000 (FoIA) relieves a public authority from the obligation to comply with a request for information where the estimated time required to locate, review and extract the information exceeds a certain threshold set out in Regulations.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (SI 2004/3244) set out the rules in relation to the cost limit (otherwise called the "appropriate limit"). These Regulations are published by the Office of Public Sector Information (OPSI) and are viewable on their web site from this link:  
[http://www.opsi.gov.uk/si/si2004/ukxi\\_20043244\\_en.pdf](http://www.opsi.gov.uk/si/si2004/ukxi_20043244_en.pdf)

The Regulations set out the cost limit for Government departments and for other public authorities. For local government, Regulation 3 states that the cost limit is £450 and Regulation 4(4) states that the prescribed hourly rate is £25. Regulation 4(4) further provides that where the local authority estimates the time taken to gather the information would exceed this limit (which based on the prescribed hourly rate, equates to 18 officer hours), it may refuse the request under section 12 of FoIA.

I am satisfied the cost limit applies to your request and will explain why this is the case

Unfortunately, a response cannot be provided for this request as the authority received over 1700 complaints in the last 12 months, and it is not possible to identify this issue within categories of codes that are used. To do so would entail an individual search through these complaints which would far exceed the officer time stipulated in the Freedom of Information Act.

*In addition, such an issue will also be dealt with on our behalf by the Citizens Advice Consumer Helpline.*