



Request

Please could you provide the information below for every open/live account within your charging authority, preferably on an emailed Excel spreadsheet, along with the date the data was extracted from your system.

List of all properties that are NOT in receipt of a NNDR relief

Data output required:- Property (BA) Reference

I do not require any detailed information as to the type of relief, the ratepayer in occupation, the occupation status or any financial data.

Response

We can confirm that we hold the information you requested however are unable to provide you with the information as we consider exemptions under sections 21 and 31 apply.

Some of the information you have requested is considered exempt under Section 21 of the Act, which applies to information which is available to you by other means. This exemption applies to a list of properties and the Billing Authority reference number contained within 2017/2023 rating lists - including property address and description. This information can be obtained from the Valuation Office Agency's website - www.voa.gov.uk

As this information is reasonably accessible to you by other means, we are not obliged to provide this information to you under the Freedom of Information Act.

We can confirm that we hold the information detailing properties not in receipt of relief, however, are refusing to provide you with the information as we consider an exemption under section 31 of the Act applies.

Section 31(1)(a) of the Freedom of Information Act 2000 (FoIA) states that the information is exempt from disclosure if disclosure would, or would be likely to, prejudice the prevention or detection of crime.

As disclosure under the FoIA is deemed to be to the world at large, we believe that the exemption is engaged in respect of the list of business properties not in receipt of any relief.

Publishing a list of properties **not** in receipt of relief, would by inference, likely reveal the identity of those **that are** in receipt of relief, including properties which may be empty/unoccupied.

Disclosure would allow identification of properties which could be used by criminals who could target empty properties to commit property crimes and fraud.

Release of information which is not easily available at present would better enable a fraudster to persuade the council that they were the ratepayer. It would entail significant time and expense for the Council to alter its security system to protect against any potential fraud.

Disclosure of the information would make it easier for criminals to target empty properties in which waste could be dumped.

Release of information could be used to locate potential venues for illegal raves, construction of cannabis farms or other associated crimes such as criminal damage in accessing the property, further drug offences and public order offences.

Empty properties could be used by urban explorers to explore and could lead to an increase in crimes associated with urban exploring such as criminal damage to gain entry

Identification of empty properties may lead to an increase in crimes such as criminal damage, arson and anti-social behaviour, which are often associated with squatting.

There is a real and significant risk that fraud would be made easier by the release of this information and that the identification of empty properties makes it easier for criminals to identify targets for the crimes listed above.

Therefore, disclosure would be likely to prejudice the prevention of crime.

This is a qualified exemption and requires a public interest test to consider whether the public interest in maintaining the exemption outweighs the public interest in the disclosure of the information.

Public interest arguments in favour of disclosing the information

Openness and transparency in relation to procedures and decision making of public authorities and collection of taxes and management of finances

Public interest arguments in favour of maintaining the exemption

The release of this information would make it much easier for a fraudster to pose as an account holder and bypass the Council's security systems.

Disclosure would also facilitate a fraudster posing as the Council to obtain confidential information from a ratepayer.

Fraud is a real and current problem and the consequences to the Council of a loss of a significant sum of public money are serious.

Urban exploring and illegal raves are a current problem in Greater Manchester and disclosure could contribute to this problem.

Disclosure may lead to an increase in other property crimes such as criminal damage, arson and anti-social behaviour. Tackling issues like these would involve significant public expense and it is in the public interest to protect property and to ensure that public resources are used efficiently.

There is also a compelling public interest in avoiding personal distress to the direct victims of the crime and to those in the wider neighbourhood who may be affected.

On balance, the Council believes that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.