

Harrow Council policy on dealing with requests for empty properties

Details of property and land owned or managed by the council can be found through the following link,

http://www.harrow.gov.uk/info/200018/property/131/council_owned_property

Harrow Council does hold information regarding privately owned land and empty properties. However we are withholding that information since we consider that the following exemptions apply.

We consider that the qualified exemption set out in Section 31 (Law enforcement) subsection (1)(a) of the Act applies to the information requested.

This sub-section provides that information is exempt from disclosure if such disclosure would prejudice the “prevention or detection of crime” and we consider that the disclosure of information about vacant properties puts the properties at risk from crime.

This exemption is also subject to the public interest test, and we believe that there is a strong public interest in protecting all property within the London Borough of Harrow from unlawful occupation or damage which is likely to occur should this information be made available to members of the public and as a public authority, we are compelled under the Act to consider any disclosure made under the Act as a disclosure to the public in general.

This position was supported by the Information Tribunal in the case of *Voyias v Camden* and the Information Commissioner (Decision reference EA/2011/0007) in a unanimous decision dated 22 January 2013 where it stated at paragraph 55 that: “The relatively small weight that the public interest in disclosure bears does not, in our view, come close to equalling the public interest in preventing the categories of crime we have identified in this decision. Accordingly, the public interest in maintaining the exemption outweighs the public interest in disclosure.”

In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

Not able to release this information for crime prevention reasons

Factors in favour of withholding

All information

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Any property that is disposed of by Harrow council is advertised through our website, www.harrow.gov.uk