

Nicola Hesketh
Project and Information Co Ordinator

Our Ref: FOI4285/NH/02
Please ask for: Nicola Hesketh
Direct dial: 01827 709 587
E-mail: FOImailbox@tamworth.gov.uk

[Name Redacted]
[Address Redacted]

23rd January 2017

Dear [Name Redacted]

Freedom of Information – Request for Information

With regards to your recent enquiry for information held by the Authority under the provisions of the Freedom of Information Act. Please find the information you requested below with reference in the box to your original enquiry for clarity where multiple answers are required.

Details of Your Request

Dear FOI officer

I am carrying out a survey for The Guardian. Please can you help with the following Freedom of Information requests:

Please see the note at the bottom as some of the information I am requesting may be classed as personal information.

If possible I would like the data to be in the form of an Excel spreadsheet or a comma- separated values (CSV) file.

1. I would like to request your records of individuals and companies successfully prosecuted for offences under the Housing Act 2004 from 1 January 2015 until the 1 December 2016. This is likely to include: name, business address, rental address, offence, fine, sentence etc.

2. I would like to request your private rented sector enforcement records - where you record improvement notices, emergency remedial notices, hazard awareness notices and prohibition notices - from November 2010 until November 2016 (or whatever date range you have available). This is likely to include: landlord name, business address, rental addresses, notice types, date, hazards, outcome etc. But please exclude the tenant/complainants name(s).

It is important to note that the First Tier Tribunal (FTT) has already ordered the release of the names of individuals convicted under the Housing Act 2004 on the Court Proceedings Database. Please see Tom Wall v Information Commissioner (EA/2014/0265) - link below.

[http://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i1527/Wall,%20Tom%20EA.2014.0265%20\(13.04.15\).pdf](http://informationrights.decisions.tribunals.gov.uk/DBFiles/Decision/i1527/Wall,%20Tom%20EA.2014.0265%20(13.04.15).pdf)

Even though some of the information I am requesting may be classed as sensitive personal information, the FTT found it could be disclosed under the provisions of the Data Protection (Processing of Sensitive Personal Data) Order 2000. The FTT ruled there was a “substantial public interest” in disclosure as “unfit housing is a matter of major public concern and has a significant impact on the health of tenants”.

It also important to note that the Information Commissioner has ruled that Section 40(2) of FOIA (personal information) does not apply to corporations or businesses as only living persons are protected (20 / FS50546586). See link below.

https://ico.org.uk/media/action-weve-taken/decision-notices/2014/1042136/fs_50546586.pdf

Q1 – We do not hold the information requested in this part of your request.

Q2 – Please see attached redacted spreadsheet. We consider that full release of rental addresses would breach one or more of the data protection principles and apply under the FOI Act, exemption S40 (c) (i) to part of this request.

Further information on Data Protection and FOI Act can be found using the following links.

<http://www.legislation.gov.uk/ukpga/2000/36/contents>

<http://www.legislation.gov.uk/ukpga/1998/29/contents>

IMPORTANT NOTICE ABOUT USE OF INFORMATION PROVIDED UNDER THE FREEDOM OF INFORMATION ACT (FoIA)

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For information where the copyright is owned by another person or organisation you must apply to the copyright owner to obtain their permission.

This council also believes in transparency of information, this includes requests made under the Freedom of Information Act and the Environmental Information Regulations and we reserve the right to publish these requests in our Disclosure Log along with the response, the requestors name and/or company where the information is requested on a regular basis. Care shall be taken not to publish your email address or physical address where it is considered personal information as defined under the Data Protection Act 1998.

Project and Information Coordinator,
Tamworth Borough Council,
Marmion House,
Lichfield Street,
Tamworth,
B79 7BZ

Details of Tamworth Borough Council's internal review and complaints procedure are attached, in accordance with the provisions of the Act.

Yours Sincerely

Nicola Hesketh
Project and Information Coordinator

Rental Address -	Business address if applicable	Notice Type	Date Served
[Rental Address Details Redacted] B79 1NT	N/A	Improvement Notice	01.04.14
[Rental Address Details Redacted] B79 7JS	N/A	improvement Notice	03.02.16
[Rental Address Details Redacted] B77 1DH	N/A	Improvement Notice	03.09.13
[Rental Address Details Redacted] B79 7JL	N/A	improvement Notice	03.12.14
[Rental Address Details Redacted] B77 3PS	WM Briers& Sons Ltd, Anchor Sidings, Glascote Road B77 2AN	Improvement Notice	04.07.12
[Rental Address Details Redacted] B79 8EF	N/A	Improvement Notice	04.11.10
[Rental Address Details Redacted] B79 7EJ	N/A	improvement Notice	05.09.16
[Rental Address Details Redacted] B79 7HU	N/A	Improvement Notice	07.09.10
[Rental Address Details Redacted] B77 2HP	N/A	Improvement Notice	07.12.11
[Rental Address Details Redacted] B79 8HR	N/A	Improvement Notice	08.05.12
[Rental Address Details Redacted] B77 2JW	N/A	Improvement Notice	08.07.13
[Rental Address Details Redacted] B77 1BT	N/A	Improvement Notice	08.11.13

[Rental Address Details Redacted] B79 7DQ	N/A	Improvement Notice	09.08.12
[Rental Address Details Redacted] B79 8AA	N/A	improvement Notice	10.03.15
[Rental Address Details Redacted] B77 2AZ	N/A	improvement Notice	11.07.16
[Rental Address Details Redacted] B77 3BW	N/A	Improvement Notice	12.01.10
[Rental Address Details Redacted] B79 8HP	N/A	Improvement Notice	12.11.10
[Rental Address Details Redacted] B79 7JP	N/A	Improvement Notice	12.11.10
[Rental Address Details Redacted] B79 7RF	Les Lias properties Ltd, 34 Market St, B79 7LR	Improvement Notice	14.02.2014
[Rental Address Details Redacted] B77 4JY	N/A	Improvement Notice	14.03.2014
[Rental Address Details Redacted] B77 2HL	A-Kleen, Claymore, Tame Valley Industrial Estate, B77 5DQ	Improvement Notice	14.06.2013
[Rental Address Details Redacted] B77 1BT	N/A	improvement Notice	14.11.16
[Rental Address Details Redacted] B77 3EY	N/A	improvement Notice	16.09.10
[Rental Address Details Redacted] B79 7JL	N/A	improvement Notice	16.09.14
[Rental Address Details Redacted] B79 8NB	2nd Chance Housing Ltd, 266- 268 Stratford Rd, Shirley, Solihull, West Midlands, B90 3AD	Improvement Notice	18.03.13

[Rental Address Details Redacted] B77 2AL	N/A	Improvement Notice	20.01.11
[Rental Address Details Redacted] B77 4HU	N/A	Improvement Notice	20.01.11
[Rental Address Details Redacted] B77 2LD	Street, Sedgefield, Stockton on Tees, TS21 3AT	Improvement Notice	21.03.13
[Rental Address Details Redacted] B77 3EE	N/A	Improvement Notice	22.07.15
[Rental Address Details Redacted] B77 2NE	N/A	Improvement Notice	23.02.2012
[Rental Address Details Redacted] B77 2JJ	N/A	Improvement Notice	23.12.2013
[Rental Address Details Redacted] B77 4LP	N/A	Improvement Notice	24.07.2012
[Rental Address Details Redacted] B77 4LP	N/A	Improvement Notice	24.07.2012
[Rental Address Details Redacted] B77 5BD	N/A	Improvement Notice	25.05.16
[Rental Address Details Redacted] B79 7RJ	N/A	Improvement Notice	25.10.2013
[Rental Address Details Redacted] B77 2EW	N/A	improvement Notice	26.05.10
[Rental Address Details Redacted] B79 7RJ	N/A	Improvement Notice	26.08.15
[Rental Address Details Redacted] B77 4LU	N/A	Improvement Notice	27.04.12
[Rental Address Details Redacted] B79 8DW	N/A	Improvement Notice	28.05.12
[Rental Address Details Redacted] B77 3PA	N/A	improvement Notice	28.05.15

[Rental Address Details Redacted] B77 1AJ	N/A	improvement Notice	28.07.15
[Rental Address Details Redacted] B77 2JN	N/A	Improvement Notice	29.08.14
[Rental Address Details Redacted] B79 7RJ	N/A	Improvement Notice	30.10.13
[Rental Address Details Redacted] B77 2HH	JCK Bakery, 8 Bore st. Lichfield WS13 6LL	Improvement Notice	06.09.11
[Rental Address Details Redacted] B79 7JS	N/A	improvement Notice	03.02.16
[Rental Address Details Redacted] B77 2HH	JCK Bakery, 8 Bore st. Lichfield WS13 6LL	Prohibition Order	06.09.11
[Rental Address Details Redacted] B77 1NH	N/A	Prohibition Order	08.02.12
[Rental Address Details Redacted] B77 5BT	N/A	Prohibition Order	08.11.14
[Rental Address Details Redacted] B79 7LR	N/A	Prohibition Order	14.08.14
[Rental Address Details Redacted] B79 7JS	N/A	Prohibition Order	03.02.16
[Rental Address Details Redacted] B79 7DL	N/A	Emergency Remedial action	11.02.11
[Rental Address Details Redacted] B77 2JR	N/A	Emergency Remedial action	10.09.10
[Rental Address Details Redacted] B77 2HB	N/A	Emergency Remedial action	28.09.12
[Rental Address Details Redacted] B77 2HW	N/A	Emergency Remedial action	07.10.10
[Rental Address Details Redacted] B77 1LG	N/A	Emergency Prohibition Order	22.11.12
[Rental Address Details Redacted] B77 5BQ	N/A	emergency Prohibition order	02.03.11

[Rental Address Details Redacted] B77 2LG	N/A	Emergency Prohibition Order	08.12.10
[Rental Address Details Redacted] B79 7JS	N/A	Emergency prohibiiton order	15.07.14
[Rental Address Details Redacted] B77 3LN	N/A	Emergency Prohibition Order	11.10.13
[Rental Address Details Redacted] B77 3AT	N/A	Emergency Prohibition order	25.01.13
[Rental Address Details Redacted]B79 8HT	N/A	Emergency Prohibition Order	16.08.12
[Rental Address Details Redacted] B79 7YQ	N/A	Hazard awareness notice	21.07.10
[Rental Address Details Redacted] B79 7BX	N/A	Hazard awareness notice	08.12.11

Hazards

Excess Cold, Electrical, Falls on stairs

Outcome

complied with

fire safety

complied with

entry by intruders, falls on stairs + levels, food hygiene

suspended- complied with whilst empty.

excess cold, damp+mould

complied with

Fire safety

complied with

excess cold, electrics, excess cold

complied with

fire safety, electrical excess cold

partially complied with considering WID /further action

Fire, electrical, falls on levels + stairs

complied with

entry by intruders, electrics, fire

complied with

Structural collapse, Fire safety

complied with

Falls between levels

complied with

Fire safety, falls in the bath, damp and mould, food hygiene

complied with

Excess Cold, food safety	<i>Complied with</i>
fire safety	complied with
fire safety	complied with
excess cold, structural collapse, P. hygiene	complied with
Fire, structural collapse	complied with
Fire, Falls on stairs	complied with Notice suspended until occupied- tenant moved out & notice complied with before re-occupation
Fire safety, collision and entrapment, excess cold	re-occupation
Excess cold, fire safety, personal hygiene and sanitation	complied with
Entry by intruders	complied with not yet complied with - considering WID / further action
Electrical, excess cold	further action
excess cold	complied with
falls on stairs+ levels, damp +mould, fire	complied with
Electrical, Structural collapse & falling elements	complied with

excess cold, fire, structural collapse	complied with
excess cold, structural collapse,	complied with
Excess Cold fire, falls between levels + on levels, domestic hygiene, damp + mould	complied with suspended- works required before re- occupation
Personal hygiene, falls on stairs, entry by intruders	complied with
Excess cold, electrical, fire safety, falls on stairs	Notice suspended until occupied- tenant moved out on day of inspection-still empty
Fire Safety	complied with
Fire Safety	complied with
fire safety	complied with
Fire safety, collision and entrapment, falls on a level, excess cold, entry by intruders	complied with
falls on stairs, structural collapse, fire, food,	complied with
fire, falls on stairs, damp+mould , electrical	complied with
Fire safety, falling on stairs, falling on level surfaces excess cold	complied with complied with
excess cold	suspended until due to be rented out again - currently empty

flames, falls between levels+ stairs, intruders, fire	complied with
CO, falls on stairs	complied with
Fire safety, falls on stairs, collision and entrapment, entry by intruders	complied with
fire, electrics ,falls between + on levels, damp +mould	complied with
fire safety	complied with
crowding -restricted number of residents	complied with
fire, flames	works completed, brought back into use
domestic hygiene	works done, brought back into use
electrics	still empty
crowding -restricted number of residents	
entry by intruders	works completed
structural collapse	works completed
domestic hygiene	works completed
structural collapse	works completed
damp and mould	works completed , property back in use
electrical safety	works done, back in use

excess cold, crowding, lighting

remains prohibited

electrics, falls between levels, fire

works done- back in use

Electrics

works done- back in use

water supply, personal hygiene, food safety

remains prohibited

electrics, fire

works one, back in use

electrics

works were undertaken at change of
tenancy

Personal hygiene,

works done