



Reference: FOI0318

Request:

This is a request for information, filed under the Freedom of Information Act 2000. We wish to obtain information, from the Council, relating to unclaimed credits for non-domestic ratepayers. We are aware that all Billing Authorities hold on account sums of money that are due to be returned to business ratepayers and for a variety of reasons have not been repaid and maybe considered untraceable by the Council. This maybe because Companies do not know that there is an overpayment, they may have moved premises, merges and/or changed their name or simply ceased trading. In such circumstances, the monies could be due to the creditors of that company. Exacta shall use the information requested to trace those businesses who have failed to claim such credit balances.

We therefore request a list of both credit balances and credit balance write ons accrued since your earliest records, for the amounts owing to all “incorporated” companies within the authorities billing area, including

- The name of each ratepayer for which the credit or credit write on relates to.
- The value of overpayment in each case.
- The year(s) in which overpayment was made.
- The hereditament address.

Please note that no personal data (as defined under the Data Protection Act 1998) is requested and any personal data contained within files concerning Non-Domestic Rates is exempted from this request.

This request is made on the basis that such information is accessible under the Freedom of Information Act 2000 and that, save for the possible exemption detailed above, no exemptions available under this Act, apply to this request. Neither, is it the case that the withholding of information could be argued to be in the public interest. We, therefore, look forward to receiving this information within the statutory limit of 20 working days. We would also like to make it clear that we are not, at this stage, applying under the Re-Use of Public Sector Regulations (SI 2005 No. 1515).

Response:

Your request is refused under Section 31 (1) (a) of the Freedom of Information Act 2000 and in accordance with the ICO decision concerning Wandsworth Council 06th February 2018. The reason for this is that there is a public interest in ensuring that monies from the public purse, such as rebates on business rates accounts, are not fraudulently claimed and also a public interest in not making it easier for fraud to be committed.

For further information please see the Information Commissioner’s Decision notices at the following links

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North Tyneside Council

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<https://ico.org.uk/media/action-weve-taken/decision-notices/2017/2013485/fs50619844.pdf> and

<https://ico.org.uk/media/action-weve-taken/decision-notices/2018/2173119/fs50671834.pdf>

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