

Please ask for: Tony Clark
Direct Line: (01322) 343201
Direct Fax:
E-mail: tony.clark@dartford.gov.uk
DX: 142726 Dartford 7

Your Ref:
Our Ref: FOI No 957
Date : 19 September 2011

Dear

Freedom of Information/Environmental Information Request: - Request for Information

I am writing in respect of your enquiry dated 19th July 2011 for information held by the Council. I am dealing with your enquiry under the provisions of the Freedom of Information Act 2000.

You requested:

1. The Council's understanding of the legal position on charges for personal searches;
2. The Council's current charging policy for personal searches;
3. Estimates of the financial liability for refunds of charges wrongly made; and
4. Committee reports, meeting minutes, correspondence within the Council and with outside organisations, including electronic information relevant to the above

The Council's response:

1. The Council confirms that it holds information relating to this matter. However, the information is exempt by virtue of sections 41 and 43 of the FOI Act. The release of information is therefore refused on the grounds that withholding the information is necessary to protect information where making the information available would be likely to prejudice the commercial interests of the Council and to protect information which is subject to an obligation of confidence.

The Council is satisfied in terms of section 17(3)(b) of the FOI Act that, in the circumstances of this enquiry, withholding the information is not outweighed by other considerations which render it desirable in the public interest to make the information available.

2. Information on current charges is available publically. Please refer to <http://www.dartford.gov.uk/landsearches>

For accounts and budget information, please follow this link General Assembly of the Council (Budget) or go to www.dartford.gov.uk – Committees - General Assembly of the Council (Budget). Please search for "Land", "Charge" or "Land Charges" within the "agenda reports pack.

3. The Council confirms that it holds information relating to this matter. However, the information is exempt by virtue of sections 41 and 43 of the FOI Act. The release of information is therefore refused on the grounds that withholding the information is necessary to protect information where making the information available would be likely to prejudice the commercial interests of the Council and to protect information which is subject to an obligation of confidence.

The Council is satisfied in terms of section 17(3)(b) of the FOI Act that, in the circumstances of this enquiry, withholding the information is not outweighed by other considerations which render it desirable in the public interest to make the information available.

Information about the numbers of searches carried out each financial year is available publically. Please see <http://www.dartford.gov.uk/landsearches>

If you are unhappy with the way in which your enquiry has been dealt with, you may ask for an internal review by initiating the Council's Corporate Complaints Procedure, details of which may be obtained by logging onto the Council's website <http://www.dartford.gov.uk/council/> or telephoning or emailing me. Should you remain dissatisfied with the decision on internal review, you may appeal to the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.

I would be grateful if you would address any future correspondence you may have in relation to this matter, to me, quoting the reference number 957. Please familiarise yourself with the informative on re-use of information.

Yours sincerely

Electronic communication – does not bear a live signature

Tony Clark
Property Information Manager

INFORMATIVE

RE-USE OF INFORMATION - Terms and Conditions and Copyright, Designs and Patents Act 1988 (as amended) and Re-Use of Public Sector Information Regulations 2005

In most cases, Dartford Borough Council will own the copyright. However, we draw your attention to the fact that some or all of the documents may be the copyright of another person or organisation.

For documents where the copyright is owned by Dartford Borough Council, subject to applying to us for a Standard Re-use Licence, you may re-use any of the documents supplied in any format or medium for the following purposes: for personal use including non-commercial research purposes, private study, internal circulation within your organisation or for the purposes of news reporting. However this is subject to the information contained within the documents being used accurately and not in a misleading context. You should also identify Dartford Borough Council as the source of the information.

If you would like to re-use our documents for other purposes e.g. publishing them or using them commercially, then you will need to ask for our consent. You will be advised of any charge due to be paid in these circumstances and the terms of a specific licence for re-use for commercial purposes will be agreed. Please note that any fees already paid (if any) under the Freedom of Information legislation in respect of the information will be deducted from the charge for its re-use.

You can make a formal application for re-use by writing to or emailing:

The Freedom of Information Officer
Dartford Borough Council
Civic Centre
Home Gardens
Dartford
Kent DA1 1DR
DX: 142726 DARTFORD 7
Email: foi@dartford.gov.uk

Full guidance on how to make an application to re-use our information can be found in our Re-Use Policy at www.dartford.gov.uk

For documents where an organisation or person other than Dartford Borough Council owns the copyright, you will need to apply direct to the copyright owner to reuse them. Where possible we can help you identify the copyright owner and their contact details.

Compliance with intellectual property right legislation is solely your responsibility and Dartford borough Council accepts no liability for infringement of any intellectual property rights, including but not limited to copyright.

If you need additional support, please let us know as soon as possible. If you have difficulty reading this Licence, we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000. We can also help if English is not your first language. Please contact our Customer Services on 01322 343434 or email customer.services@dartford.gov.uk. We welcome calls via [Typetalk](#)