



Dear

Freedom of Information Act 2000 - Request for Information

Thank you for your email of 4th June 2019 asking for information under the Freedom of Information Act 2000 (FOIA). You asked for:

1. Known owners and/or occupants of the property at [address removed] between 1st January 1977 and 1st January 2004;
2. Known owners and/or occupants of the property at [address removed] between 1st January 1987 and 1st January 2004.

The information you have requested has been withheld applying the exemption referred to in Sections 40(2) and (3A) of the FOIA as disclosure would breach the principle referred to in Article 5(1)a of the General Data Protection Regulation (GDPR), which requires that personal data relating to individuals is processed lawfully, fairly and in a transparent manner.

The two main elements of personal data are that the information must 'relate' to a living person and that the person must be identifiable from it. Given the importance of protecting an individual's personal data, the Council's 'default' position, in cases where section 40(2) FOIA is being cited, is in favour of protecting the privacy of the individuals. Therefore, in order to find in favour of disclosure, it would need to be shown that there is a more compelling interest in disclosure, which would make it fair to do so. It has not been demonstrated that there is a more compelling interest in disclosure, which would make it fair to do so.

The individual(s) involved, would not reasonably expect that their personal details would be disclosed in this way. I am satisfied, on balance, that such public interest as there may be in disclosure does not override the legitimate interests of the individual concerned and that it would not be fair to disclose their personal data. As I have decided that disclosure would be unfair (in contravention of Article 5(1)a of the GDPR), I have not considered whether or not disclosure would be lawful.

If you wish to object to my decision in the first instance, or 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>. 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 FOI 393.



Please familiarise yourself with the informative on the re-use of information, referred to below.

Yours sincerely

Glen Moore
Counter Fraud & Compliance Team Manager
Dartford BC/Sevenoaks DC Shared Revenues and Benefit Service.



INFORMATIVE

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

Documents where the intellectual property rights are held by The Dartford Borough Council

For documents where the intellectual property rights (including but not limited to copyright) are held by The Dartford Borough Council, you are free to 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 The 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 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

Documents where the intellectual property rights are held by a Third Party

For documents where an organisation or person other than The Dartford Borough Council holds the intellectual property rights, you will need to apply direct to the intellectual right property holder for consent to reuse the documents. Where possible, we can help you identify the intellectual property right holder 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.

Equality and Diversity

Dartford Borough Council aims to eliminate discrimination in respect of age, disability, gender assignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation and will ensure that its services are free from bias or discrimination and that all those involved in the licence application process are treated fairly and with respect and the process will be conducted in a manner appropriate to the individual, whatever their background.

Additional Help

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 Equality Act 2010. 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 [NGT Relay](#).