



Response to Request for Information

Reference EIR 000278
Date 01 May 2019

List of Premises and their rating

Request:

I am writing to you under the Freedom of Information Act 2000 to request the following information from the relevant authorities.

- Please can you provide me with a list of premises and their rating for the last 24 months of today's email (May 1).
- I would also request a copy of the inspection reports of all 0, 1 and 2 premises and any photographs also taken for this month in relation to those inspections.

Thank you for your request for information about the above, which we are dealing under the Environmental Information Regulations 2004 rather than Freedom of Information request.

In response to your request, The Food Hygiene Ratings are available on the Food Standards Agency website: <https://ratings.food.gov.uk/>. and there are 154 premises which have a rating of 2 and below.

In point 2 you requested copies of the inspection reports however we consider that your request falls under the exception under regulation 12(4)(b) as 'manifestly unreasonable'. Under the EIR public authorities may refuse requests that are manifestly (i.e. obviously or clearly) unreasonable when the cost of compliance is too great.

Our searches have revealed that the authority holds a significant number of inspection reports and therefore considers that it would be manifestly unreasonable (within the meaning of regulation 12(4)(b) of the EIR) to have to review the entire content of these files in a granular way in order to apply the EIR, which would include a process of identifying what information could and equally could not be disclosed.

A public authority can only withhold information if the public interest in maintaining the exception outweighs the public interest in disclosing the information. We are mindful of the general public interest in transparency and accountability, and of the presumption in favour of disclosure and to read exceptions restrictively.

We consider that the information we have already identified would likely engage one or more of the disclosure exception provisions of the EIR. We would therefore have to spend a considerable amount of time reviewing each piece of information individually to consider whether or not it would be exempt from disclosure.

We also note that a large volume of information caught by this request is administrative in nature and which we do not consider would actually inform any public debate in a meaningful way. The time and resources required to review this information would be unreasonable given the potential for it to remain exempt information and (where it is suitable for release under the EIR) the limited benefit to the public debate on this matter.

On balance therefore, it is our view that the public interest in maintaining the exception in regulation 12(4)(b) outweighs the public interest in disclosure. I understand this response may not meet your requirements but it aims to ensure - as recognised in the guidance - that our responsibilities under the act do not distract from our other statutory functions as a public authority.

When refusing a request for environmental information under regulation 12(4)(b) on the grounds of cost, public authorities are required to provide advice and assistance and explaining how a request may be refined. From your request it is difficult to ascertain what your particular interest in these copies of the inspection reports of all 0, 1 and 2 premises and any photographs also taken for this month, however you may wish to refine your request by limiting the information and let us know if there is anything in particular you are searching. This will assist us in refining our searches and being able to deal with your request.