



## Response to Request for Information

Reference      FOI 0615123  
Date            22 June 2015

### ***Town & Country Planning Act 1990 – Section 215 & 219***

#### **Request:**

I would like to know the following:

- The number of notices under Section 215 of the Town and Country Planning Act 1990 issued by the authority in each of the last five complete financial year (i.e. 2010-11 to 2014-15).

2010 – 2011 - 2  
2011 – 2012 - 5  
2012 – 2013 - 11  
2013 – 2014 - 25  
2014 – 2015 - 21  
2015 - so far - 7

- The number of notices under Section 219 of the Town and Country Planning Act 1990 issued by the authority in each of the last five complete financial year (i.e. 2010-11 to 2014-15).

We don't issue a notice we enter the land without further notice and carry out works in default.

- I would also like to know the total spent by the authority when acting upon the S219 notice to clean up an area.

We can confirm that the Council holds information falling within the description specified in your request. However, Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the 'appropriate limit' as defined by the Freedom of Information.

The Regulations provide that the appropriate limit to be applied to requests received by local authorities is £450 (equivalent to 18 hours of work). In estimating the cost of complying with a request for information, an authority can only take into account any reasonable costs incurred in:

[NOT PROTECTIVELY MARKED]

- (a) Determining whether it holds the information,*
  - (b) Locating the information, or a document which may contain the information,*
  - (c) Retrieving the information, or a document which may contain the information,*
- and*
- (d) Extracting the information from a document containing it.*

*For the purposes of the estimate the costs of performing these activities should be estimated at a rate of £25 per hour.*

The information appertaining to Section 219 direct action is not easily accessible as it comes from a number of budgets and is not kept centrally. To get the information would require a full scale look into all the individual files and scrutiny of several budgets. This would be a manual exercise and as such we believe that the aggregated time it would take to collate the information would be in excess of 18 hours (equivalent to a notional cost of £450).