



Department for Levelling Up, Housing & Communities

**Department for Levelling Up, Housing and
Communities**

2 Marsham Street
London
SW1P 4DF

Owen Boswarva
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19 January 2024

Dear Owen Boswarva,

Environmental Information Regulations 2004 – EIR2023/06197

Thank you for your request for information which was received on 15 December 2023 and considered under the Environmental Information Regulations 2004.

You requested:

DLUHC maintains a register of Energy Performance Certificates lodged in respect of properties in England and Wales. Information from the EPC register is available for public search at <https://www.gov.uk/find-energy-certificate> and for bulk download from <https://epc.opendatacommunities.org/>.

According to DLUHC guidance, holders of EPCs can opt out of having the information from their certificates disclosed publicly: <https://www.gov.uk/guidance/energy-performance-certificates-opt-out-of-public-disclosure>.

Please provide the following information:

- 1. The number of EPC certificates for which information is not currently publicly disclosed because holders (and/or owners or occupiers of the relevant properties) have opted out.*
- 2. The number of successful applications for opt-outs, broken down by year of application. (Either calendar year or financial year is fine, but please specify which method you have used and include a figure for the current part year.)*
- 3. A list of the property addresses for which EPCs are not currently publicly disclosed, with the lodgement dates for each EPC.*
- 4. If you consider that the address information requested under point 3 is exempt from disclosure, please instead provide a list of the first half of the postcode for each EPC (i.e. the postcode area / outward code), with the lodgement dates.*

Clarification: My information request relates to all EPCs where opt outs have been requested (both domestic and non-domestic).

We can confirm that information at **Q1** of your request is held by the Department. There are a total of 17,455 opted out certificates. This does not equate to the same numbers of buildings that have opted out; one building can have many opt-outs applied to it.

The Department holds information in scope of **Q3 and Q4** of your request. However, the information falls within the absolute exception to disclosure at regulation 12(3) of the

Environmental Information Regulations 2004 (EIR), by virtue of regulation 13, as its disclosure would breach one or more of the data protection principles in the Data Protection Act (DPA). As the affected individuals in this case reasonably could not have an expectation that this data would be disclosed, to do so would breach UK Data Protection legislation.

The Department holds no information within scope of **Q2** of your request.

Yours sincerely,

DLUHC FOIA Team

Complaints procedure

If you are unhappy with this response, we will review it and report back to you. (This is called an internal review.) If you want us to do this, let us know by return email within 40 working days of receiving this response. You can also ask by letter addressed to:

Department for Levelling Up, Housing and Communities
Knowledge and Information Access Team
4th Floor, Fry Building
2 Marsham Street
London, SW1P 4DF

If you are still not content with the outcome of the review, you may apply to refer the matter to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review procedure provided by the Department.

The Information Commissioner can be contacted at email address casework@ico.org.uk or use their online form at ico.org.uk/concerns or call them on 0303 123 1113.