



Owen Boswarva <owen.boswarva@gmail.com>

RE: Service of Decision Notice (Case Reference: IC-173007-K0T5)

1 message

EPC Enquiry <EPC.Enquiry@levellingup.gov.uk>
To: Owen Boswarva <owen.boswarva@gmail.com>
Cc: icocasework <icocasework@ico.org.uk>

27 April 2023 at 13:18

Dear Mr Boswarva,

Thank you for your email.

We are considering your correspondence and will reply to the points you have raised in due course.

Yours sincerely,



Energy Performance of Buildings Division

From: Owen Boswarva <owen.boswarva@gmail.com>
Sent: 26 April 2023 18:30
To: EPC Enquiry <EPC.Enquiry@levellingup.gov.uk>
Cc: icocasework <icocasework@ico.org.uk>
Subject: Re: Service of Decision Notice (Case Reference: IC-173007-K0T5)

Dear ,

Thank you for your letter dated 26 April 2023, the substance of which was as follows:

"The Decision Notice issued by the Information Commissioner's Office on 23 March 2023 requires the Department for Levelling Up, Housing and Communities (DLUHC) to consider your request in accordance with the Re-use of Public Sector Information (RPSI) Regulations 2015.

"Having considered your request to re-use the Energy Performance of Buildings Data, on the understanding that this permission will not apply to the address and postcode fields in the data, DLUHC gives permission for you to re-use the non-address data under the RPSI Regulations 2015."

Unfortunately, I do not think your letter is fully responsive to my re-use request (as made originally in my email of 18 April 2022), nor fully compliant with the requirement in the ICO's decision notice IC-173007-K0T5: "To respond to the complainant's request as required by the RPSI."

Please clarify the following points:

1. Is DLUHC imposing any conditions on my re-use of the information? Regulation 12 entitles DLUHC to impose conditions on re-use, where appropriate through a licence. If DLUHC is permitting my re-use of the non-address data without any conditions, please confirm that unequivocally.

2. Does DLUHC's permission apply to re-use of the Energy Performance of Buildings Data that is currently accessible to me at <https://epc.opendatacommunities.org/>, relating to certificates issued up to and including 28 February 2023, or does the permission only apply to re-use of the Energy Performance of Buildings Data that was accessible to me at the time of my request, relating to certificates issued up to and including 31 December 2021? (If the latter, I am likely to submit a further request for permission to re-use the more recent data.)

Thank you.

Kind regards,

Owen Boswarva

Contact details

e-mail: owen.boswarva@gmail.com

telephone: [REDACTED]

address: [REDACTED]

On Wed, 26 Apr 2023 at 16:02, EPC Enquiry <EPC.Enquiry@levellingup.gov.uk> wrote:

Dear Mr Boswarva,

Please find attached a reply in response to the Decision notice from the ICO relating to a complaint made to the Information Commissioner.

Yours sincerely,

[REDACTED]

Energy Performance of Buildings Division