

From: Owen Boswarva <owen.boswarva@gmail.com>

Date: Fri, 28 Sep 2018 at 10:47

Subject: FOI + RoPSI request for detailed tables associated with VOA statistics on Council Tax band in England and Wales

To: <foi@voa.gsi.gov.uk>

Good morning,

Last week VOA published the 2018 release of official statistics on the stock of properties by Council Tax band in England and Wales: <https://www.gov.uk/government/statistics/council-tax-stock-of-properties-2018>.

A series of detailed tables published with previous annual releases have not been published for 2018. VOA's background note explains:

"The VOA is reviewing all aspects of its Official Statistics publications to ensure that they meet users' needs and may reduce the scope of tables in some publications while we consult. As a consequence, this release does not include the following: tables showing number of properties by Council Tax band at Westminster parliamentary constituency level; and lower and middle layer super output areas; breakdowns by property type (including bedroom count); and build period."

It is unclear to me why the decision not to publish these tables for 2018 is a necessary consequence of VOA's current review. However I am writing on the assumption that VOA holds this information for 2018 and, based on the above note, that this information is not currently "intended for future publication" within the meaning of the Freedom of Information Act.

Accordingly I am requesting access to any information VOA holds, with an extraction date of 31 March 2018 (or thereabouts), equivalent to the contents of tables CTSOP1.1, CTSOP2.0, CTSOP3.0, CTSOP3.1, CTSOP4.0 and CTSOP4.1 in the previous annual release of VOA's official statistics on Council Tax band in England and Wales. Please treat this as an information request under the Freedom of Information Act.

Please provide the above information in a re-usable format and file type such as CSV or XLSX.

I also request, in accordance with regulation 6 of the Re-use of Public Sector Information Regulations 2015, permission to re-use all information provided in response to the above access to information request for the purpose of combining that information with data from existing open public datasets and making the outputs available to others in a re-usable electronic form under an open licence. I therefore request that VOA grants permission to re-use the information for this purpose under the terms of the Open Government Licence v3 (<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>). Given my intended use, any more restrictive licensing terms would be likely to "unnecessarily restrict" the way in which the information can be re-used, contrary to RoPSIR regulation 12.

Thank you for your attention to these requests.

Best regards,

Owen Boswarva

Contact details

e-mail: owen.boswarva@gmail.com

telephone: [REDACTED]

address: [REDACTED]



Valuation Office
Agency

██████████
Director of Information and Analysis

Valuation Office Agency
8th Floor
10 South Colonnade
Canary Wharf
London
E14 4PU

To: Mr Owen Boswarva

Email: foi@voa.gsi.gov.uk

Email: owen.boswarva@gmail.com

Our Reference: 11785855.2/CEO

Date: 25 October 2018

Dear Mr Boswarva

Freedom of Information Act (FOIA) 2000
VOA ref: 11785855.2/CEO

Thank you for your request for information under the FOIA which was received on 28 September.

Your request for information under the FOIA:

"Last week VOA published the 2018 release of official statistics on the stock of properties by Council Tax band in England and Wales: <https://www.gov.uk/government/statistics/council-tax-stock-of-properties-2018>.

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Response to your request:

As required by section 1(1)(a) of the Act I confirm that the Valuation Office Agency (VOA) holds information falling within the scope of your request.

The VOA now intends to publish the information that you have requested on 29 November 2018 and, as such, the information is withheld from disclosure under section 22(1) of the FOIA until this date.

Section 22 of the FOIA applies where information is held with a view to its publication, by the authority or any other person, at some future date. We have published our intention of when we will release these data / information on our official statistics release calendar.

<https://www.gov.uk/government/statistics/announcements?utf8=%E2%9C%93&organisations%5B%5D=valuation-office-agency>.

Section 22(1) is a qualified exemption and therefore the VOA must consider whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Public Authorities are required under the Statistics and Registration Services Act 2007 to prepare and publish statistics under the UK Code of Practice (CoP). When considering the release of statistics we need to ensure that they are of sound methodology and assured quality. We also need to ensure that no individual can be identified from released data. Furthermore, where information is to be published because it is of general public interest, it may not be fair to provide advance publication to one or more specific individuals.

Accordingly, on balance, I consider that the public interest in withholding the information in this case until the planned publication date outweighs the public interest in disclosure prior to that date.

I have included an appendix which sets out the legislation in full.

If you are unhappy with this reply you may request a review by email to: foi@voa.gsi.gov.uk. Alternatively, you can make a request by writing to: Valuation Office Agency, Information Law and Disclosure Team, 8th Floor, 10 South Colonnade, Canary Wharf, London, E14 4PU.

A request for a review must be received within 2 months of the date of this letter. To assist our review, please set out which aspects of the reply concern you and why you are dissatisfied.

If you are not content with the outcome of our review, you have the right to apply directly to the Information Commissioner (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Valuation Office Agency. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

[Redacted signature]

[Redacted name]

Director of Information & Analysis

Appendix

Freedom of Information Act 2000

<http://www.legislation.gov.uk/ukpga/2000/36/contents>

Section 22 states that information intended for future publication

(1) is exempt information if:

- (a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) the information was already held with a view to such publication at the time when the request for information was made, and
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).



Valuation Office
Agency

Information Law and Disclosure

Valuation Office Agency

8th Floor
10 South Colonnade
Canary Wharf
London
E14 4PU

To: Owen Boswarva

Email: foi@voa.gsi.gov.uk

Email: owen.boswarva@gmail.com

Our Reference: 11785855.3/CEO

Date: 25 October 2018

Dear Mr Boswarva

Re-use of Public Sector Information Regulations 2015
VOA Ref: 11785855.3/CEO

Thank you for your request made on 28 September 2018 for information under the FOIA and the Re-use of Public Sector Information Regulations 2015 (RPSI). This letter relates only to your request under the RPSI, a separate response will be issued in respect of your FOI request.

Your request to re-use information under the RPSI:

"Last week VOA published the 2018 release of official statistics on the stock of properties by Council Tax band in England and Wales:

<https://www.gov.uk/government/statistics/council-tax-stock-of-properties-2018>.

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use the information for this purpose under the terms of the Open Government Licence v3 (<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>). Given my intended use, any more restrictive licensing terms would be likely to "unnecessarily restrict" the way in which the information can be re-used, contrary to RoPSIR regulation 12."

Response to your request:

The VOA has not previously published the information you wish to re-use and your above request applied for release under the Freedom of Information Act 2000 (FOIA). A separate response to this element has been sent under Ref: 11785855.2/CEO stating the information is exempt from disclosure at this time.

As the information is exempt from disclosure under the FOIA, the consideration of re-use under the RPSI is not applicable. The RPSI does not apply to information that would be exempt from disclosure under information access legislation, e.g. current Data Protection legislation or the Freedom of Information Act (FOIA).

It is a requirement of Regulation 17 that I provide details of the complaints procedure. This process only applies to issues of re-use and will not consider complaints about access. Complaints about access are dealt with under the access legislation, which in this case is the FOIA.

Complaints must be:


- In writing (email is acceptable)
- State the nature of the complaint – which sections of the 2015 Regulations are at issue and how
- Explain what the complainant would like the Valuation Office Agency to do in order to resolve the complaint
- Provide the complainant's full contact details.

If you are dissatisfied with this reply you may submit a complaint by email to: foi@voa.gsi.gov.uk Alternatively, you may write to: the Valuation Office Agency, Information Law and Disclosure Team, 8th Floor, 10 South Colonnade, Canary Wharf, London, E14 4PU.

If you are not content with the outcome of your complaint, you have the right to apply directly to the Information Commissioner (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Valuation Office Agency. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely




Team Leader