

Nicola Hesketh
Project and Information Coordinator

Our Ref: FOI5430/NH/02
Please ask for: Nicola Hesketh
Direct dial: 01827 709266 / 01827 709587
E-mail: FOImailbox@tamworth.gov.uk

[Name Redacted]

4th October 2018

Dear [Name Redacted]

Freedom of Information – Request for Information

With regards to your recent enquiry for information held by the Authority under the provisions of the Freedom of Information Act, please find the information you requested below with reference in the box to your original enquiry for clarity where multiple answers are required.

Details of Your Request

I would like to request details of action taken by the council against landlords covering the period January 1st, 2014 until the present day.

1. Please can you provide a list of individuals and companies you have successfully prosecuted for offences under the Housing Act 2004, Protection from Eviction Act 1977, Landlord and Tenant Act 1985 ss 1-7, Housing Act 1985 s.331, or other relevant legislation.

In each case, please include:

Name, offence, prosecution date, fine/sentence and, if possible, the address of the property or properties involved and a description of the offence.

2. Please can you provide a list of individuals and companies subject to civil penalties and/or banning orders since these powers came into force under the Housing and Planning Act 2016 in April last year and April 2018 respectively.

In each case, please include:

Name, offence, date, penalty and, if possible, the address of the property or properties involved and a description of the offence.

3. Please can you provide a list of individuals and companies you have successfully sought Rent Repayment Orders against.

In each case, please include:

Name, offence, date, penalty and, if possible, the address of the property or properties involved and a description of the offence.

4. Finally, please can you also provide a list of individuals and companies fined for failing to comply with a local authority licensing scheme or to comply with the Management of Houses in Multiple Occupation (England) Regulations 2006.

In each case please include:

Name, offence, date, penalty and, if possible, the address of the property or properties involved and a description of the offence.

The response to your request as follows:

1. Successful prosecutions
HA 2004 – individual prosecuted in October 14 for HMO management failings- fined £24,541 (Inc. Costs)

PEA 1977- unlawful eviction- individual prosecuted July 15 fined £2,925 (Inc. costs)
2. 1 civil penalty of £7,500 issued to an individual in March 2018 around failings in HMO Management Regulations.
3. None
4. None

An exemption under Section 40(2) of the FOI is applied to part of your request this being name and address of individuals.

The name and address of individuals is personal data because it relates to and identifies a living individual.

Disclosing information as part of a FOIA request is disclosure to the world and not just to the requester. It would not be within an individual's normal expectations to have their personal data disclosed to the world in this way and disclosure of this information would contravene the first data protection principle, furthermore, their consent has not been given. Therefore, we consider Section 40 FOIA engaged to this part of your request for information.

Further information on the Freedom of Information Act and Data Protection Act can be found at:

<https://ico.org.uk/>

<http://www.legislation.gov.uk/ukpga/2018/12/contents>

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

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This council also believes in transparency of information, this includes requests made under the Freedom of Information Act and the Environmental Information Regulations and we reserve the right to publish these requests in our Disclosure Log along with the response, the requestors name

and/or company where the information is requested on a regular basis. Care shall be taken not to publish your email address or physical address where it is considered personal information as defined under the General Data Protection Regulation 2018.

Project and Information Coordinator,
Tamworth Borough Council,
Marmion House,
Lichfield Street,
Tamworth,
B79 7BZ

Details of Tamworth Borough Council's internal review and complaints procedure are attached, in accordance with the provisions of the Act.

Yours Sincerely

Nicola Hesketh
Project and Information Coordinator