

31 March 2020

Dear Sir/Madam

Request for information: RFI-2020-0303

Thank you for your request for information received by Newark and Sherwood District Council, the council, on 25th March 2020 concerning credits and SBRR on National Non Domestic Rate (Business Rate) accounts.

This request has been handled under the Freedom of Information Act 2000.

SBRR - a list all the businesses under 12k RV that haven't applied for small business rates relief that qualify for it

Unfortunately we do not hold this information. We do not know if a business qualifies for SBRR, until they actually apply for it. To provide further explanation part of the assessment process for SBRR relates to other business properties that may be outside the Newark & Sherwood Area. We would not, normally, have access to this information until an SBRR application is submitted.

Credits - a list of credits held on business rates accounts

I can confirm that the council holds this information. However we are withholding that information since we consider that the exemption under section 31(1)(a) applies to it.

Section 31(1)(a) of FOIA states that:

“Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice-

(a) the prevention or detection of crime

We believe that by placing a list of unclaimed business rate credits in the public domain would be an invitation to those seeking to defraud both the Council and those businesses who are legitimately owed this credit. The Information Commissioner’s decision notice FS50643256 dated 4 October 2017 further substantiates this position.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. There is a strong public interest in ensuring that monies are not fraudulently claimed. Should claims for refunds be made, the Council would not necessarily be able to assess which were real and which were fraudulent without a great deal of investigation which would lead to spending more on resources that the Council does not have. This would place an additional cost to the public purse and delay legitimate ratepayers receiving their refund which may have a negative effect on their business.

Therefore, this letter serves as a refusal notice as required under section 17 of the Freedom of Information Act 2000.

If you have any further queries or concerns about the information provided please do not hesitate to contact us. If we do not hear from you within 40 days, starting the day after the date of this letter, we will consider the request closed.

If following our response to your query you are still dissatisfied you have the right to request an internal review. This will be conducted by a member of the Senior Leadership Team who has not been involved with the request or complaint until this point. Should you wish to proceed to this stage please advise us quoting the reference number at the top of this page.

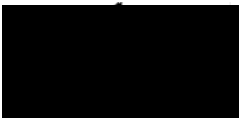
Should you be dissatisfied with the outcome of any internal review to the Council you have a further right of appeal to the Information Commissioner's Office, details of which can be found on the Information Commissioner's website www.ico.org.uk/

More details of this complaints process are available to view on our website at the following link: www.newark-sherwooddc.gov.uk/yourcouncil/makingarequestforinformation/accesstoinformation-complaintsprocedure/

There is no charge for making an appeal at any stage.

Yours sincerely

David Clarke



Information Governance Officer