

FOI number: **HBC_FOI_20200326**
Date FOI Received: **20/05/2020**
Department: **Business Rates**
Title: **Business Rate details 75 Darkes Lane, Potters Bar, EN6 1BW Feb 2019**
Description: **Business Rates Liability**

Request: (As Redacted sent by requestor)

We are attempting to identify who is liable for the energy we supplied to <REDACTED> for the period of 21st February 2019 – present. In order for us to do this we request from you the following information, which we believe you will hold:

1. Please advise us of the liable party in respect of business rates and/or alcohol licence at the aforementioned site during the period outlined above.
2. Please provide contact details for the liable party in respect of business rates and/or alcohol licence for the aforementioned site for this period.
3. If more than one person was liable during that period, please indicate what period each person was liable for.

To the extent that any of the information requested is or contains personal data as defined by the Data Protection Act 1998, it is exempt from the non-disclosure provisions of that act, as the disclosure of the personal data is necessary:

- For the just disposal of potential legal proceedings; and
- To enable us to establish, exercise and defend our legal rights.

We look forward to hearing from you pursuant Schedule 2 Part 1(5)(1-3)– Legal proceedings (previously s. 35 of the DPA 1998) which will further assist in confirming occupation of the Business Premises.

Response: (Response as Redacted sent by service)

1. *Please advise us of the liable party in respect of business rates and/or alcohol licence at the aforementioned site during the period outlined above.*
 - [Maxi Store Ltd - liable for Business Rates from 1/4/2019 to present](#)
 - [Potters Mart Ltd – liable for Business Rates from 15/4/2016 to 31/3/2019](#)

With regard to any licence issued under the licensing Act 2003 the information is publicly and reasonably available by searching the council's licensing register and the council relies on the exemption contained in Section 21 Freedom of Information Act 2000 in refusing to disclose it.

2. *Please provide contact details for the liable party in respect of business rates and/or alcohol licence for the aforementioned site for this period.*

The information you have requested is personal data and in refusing to disclose it the council relies upon the exemption contained in Section 40 (2) (a) and (3A) in that the requested information constitutes personal data, disclosure of which to the public would contravene the data protection principles.

3. *If more than one person was liable during that period, please indicate what period each person was liable for.*

See question 1

The council considers that the public interest in disclosure of personal information concerning persons associated with rated properties is outweighed by the public interest in maintaining the privacy of persons who can be identified through the publication of those details.

It is the council's position in this matter that the permissive authority available to it by virtue of Schedule 2 Data Protection Act 2018 to disclose personal information is outweighed by the public interest in preserving personal privacy.

If you have any queries about the processing of your request then please do not hesitate to contact me. Further information explaining the Council's process for responding to information requests together with a complaints/appeals procedure is available in our reception or via our website at:

<https://www.hertsmere.gov.uk/Your-Council/Official-Publications--Guides--Policies/Access-to-Information.aspx>

The Information Commissioner oversees the application of the Freedom of Information Act. You may contact the Information Commissioner at:

Information Commissioners Office
Wycliffe House, Water Lane
Wilmslow
Cheshire SK9 5AF
Telephone: 01625 545700
Website: www.informationcommissioner.gov.uk

Please include the above reference number on all correspondence related to this request.

Thank you for your request.

Kind regards

Information Services

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