



Further to your information request FOI/EIR 25/26-342, please find your question and our response below.

Request:

Under the Freedom of Information Act 2000, I am requesting information regarding vacant or unoccupied commercial properties within the district.

I am an investor/developer interested in bringing vacant properties back into use, and I would like to identify opportunities for redevelopment or occupation.

Specifically, I request:

1. A register or list of all commercial properties currently vacant, including:
 - Property address (or partial address if full disclosure is restricted)
 - Property type (e.g., retail, industrial, office, mixed-use)
 - Duration of vacancy
 - Ownership type (private, council-owned)
 - Any applicable business rates relief/exemptions due to vacancy
2. Summary data:
 - Total number of vacant commercial properties
 - Breakdown by vacancy duration (e.g., 6–12 months, 12–24 months, 24+ months)
 - Any trends over the past three years

Response:

The Council does hold this information however; we are unable to release a list of our current vacant properties as this would enable them to be identified. We believe that if this information were disclosed this would be likely to have the effect of exposing those properties to a greater risk of being subject to crimes such as vandalism and squatting. Therefore, we consider this information is exempt under Section 31(1)(a) of the Freedom of Information Act (prejudice the prevention or detection of crime).

In respect of those requests that were answered in full or partially and the total refused please take this as notice under FOIA, that we:

- a) Consider the information as exempt from disclosure under the Act;
- b) Claim exempt under sections of the Act:

Section 31(1)(a) of the Freedom of Information Act 2000

- c) State why the exemption applies:

31 Law enforcement.

***(1) Information which is not exempt information by virtue of section 31(1)(a) is exempt information if its disclosure under this Act would, or would be likely to, prejudice—
(a) the prevention or detection of crime***

Section 31(1)(a) says that we do not need to provide information that would be likely to prejudice the functions of law enforcement. We believe that releasing this information would increase the likelihood of:

- Empty properties being lived in by squatters. Squatting in a residential property is now a criminal offence.
- Empty properties being targeted by vandals or graffiti artists and stripped of materials such as roofing, cables or piping, or otherwise vandalised or damaged.

- Empty properties being targeted by criminals or terrorists for example allowing them to hide or store the proceeds of crime, or criminal or terrorist materials.

As Section 31(1)(a) is a qualified exemption, the public interest test will need to be considered.

Factors in favour of disclosing

- There are general arguments in promoting the transparency and accountability of public authorities
- Raising the profile of vacant properties would help encourage public engagement and debate.

Factors in favour of withholding

- There is an inherent public interest in crime prevention. (Voyias and LB Camden EA/2011/0007)
- There is public interest in avoiding the costs associated with squatting, for example, repair, security and eviction costs.
- The negative impact of squatting affects the surrounding community and public authorities involved, not just the individual property.

We believe that the balance of public interest lies in upholding the exemption and not releasing the information.

This concludes your request FOI/EIR 25/26-342.

If information has been refused, please treat this as a Refusal Notice for the purposes of the Act.

If you disagree with our decision or are otherwise unhappy with how we have dealt with your request in the first instance you may approach foi@eastcambs.gov.uk and request a review. A request for review must be made in no more than 40 working days from the date of this email.

Should you remain dissatisfied with the outcome you have a right under s50 of the Freedom of Information Act to appeal against the decision by contacting the Information Commissioner, Wycliffe House, Water Lane, Wilmslow SK9 5AF.