

Freedom of Information Act 2000 (FOIA) Decision notice

Date: 20 June 2024

Public Authority: Mansfield District Council

Address: Civic Centre,
Chesterfield Road South
Mansfield
NG19 7BH

Request:

The complainant requested the following information from Mansfield District Council on 20 March 2024, with regards to a named property:

"1. Information related to steps the Council has taken (if any) in connection with the management and/or administration of the Property (or any part of it) in the period from and including 2020 to date. We expect this to include information related to:

- a) Collection of rents (head tenants and subtenants) or any steps or enquiries in relation to the same;
- b) Receipt of rents (head tenants and subtenants) or any steps or enquiries in relation to the same;
- c) Maintenance/works to the Property (or any part of it) including any proposals for development, redevelopment or improving the presentation or security of the Property (or any part of it) both before and after the COVID-19 Pandemic;
- d) instruction of contractors/agents/other third parties in respect of the Property (or any part of it);
- e) Marketing of units (or part of units) for let (both formal and informal) or any steps or enquiries in relation to the same;

f) Introduction of any sub-tenants or licencees for any units (or any part of units) (both formal and informal) or any steps or enquiries in relation to the same;

g) Agreements entered into directly with any tenant (including or in respect of subtenants) including (but not limited to) rent concession or waiver arrangements (both formal and informal, and during the COVID-19 pandemic or otherwise), or any communications regarding the same.

h) Documentation explaining the Council's reasoning in respect of any rent concession or other agreements (or communications) entered into; and

i) Strategic reports/plans/documents or similar connected to the Property (or any part of it) e.g. redevelopment/regeneration/disposal or similar.

2. Information relating to any formal or informal reports, investigations, meetings, discussions or similar which considers or details:

a) the value of the existence and operation of the Property to the town of Mansfield as a whole versus the value of the annual rent under the lease in qualitative and/or quantitative terms; and

b) with reference to point a, above specifically, evidence of compliance with the Council's duties to its stakeholders generally to promote the prosperity of Mansfield.

Commissioner's decision

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on the evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

**First-tier Tribunal (Information Rights)
GRC & GRP Tribunals
PO Box 9300
LEICESTER
LE1 8DJ**

Tel: 0203 936 8963
Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**