



FREEDOM OF INFORMATION ACT 2000

EXEMPTION FROM DISCLOSURE OF DOCUMENTS/INFORMATION

Ref no: FOI 25/1318

Applicants Name:

Charlotte Homes

Date of Request

18th September 2025

Information sought:

FOI: Confirm if following get Charitable Rate Relief (80%) and/or Discretionary Relief, with %/value + start dates: 1) Jayne's Baby Bank HQ, Sainsbury's Est, Pontllanfraith NP12 2AN; 2) 68 Tredegar St, Risca NP11 6BW; 3) 14 Pentrebane St, Caerphilly.

Under the powers delegated to me by Caerphilly county borough council and having considered representations made to me by officers and third parties whose interests appear to be potentially affected or prejudiced, I have made the following decision:-

Exemptions applying to the Information Sought

Section 41 – information provided in confidence

Case for Exemption:

Section 41 of the Act sets out an exemption from the right to know where the information requested was provided to the public authority in confidence. There are 2 components to the exemption:

1. The public authority must have obtained the information from another person. A person can be an individual, a company, a local authority or any other "legal entity". The exemption does not cover information which the public authority has generated itself, although it may cover documents (or parts of documents) generated by the public authority if these contain confidential information provided by a third party. It is the information itself, and not the document or other form in which it is recorded, which needs to be considered. The information requested was provided to the Council by third parties for the purpose of calculating rates or reliefs and is information that a reasonable person would regard as confidential.
2. Disclosure of the information would give rise to an actionable breach of confidence, and the confider, or any other party affected, may have the right to take action through the courts.

Public Interest Test

Information provided in confidence is an "absolute" exemption and is not subject to the public interest test as defined by the Freedom of Information Act. However, public interest is a

consideration required by the development of the common law, and the courts have taken the view that the grounds for breaching confidentiality must be valid and very strong. There is always a public interest where disclosure would provide accountability and transparency for decisions made by the Council as this helps maintain confidence and trust and we acknowledge that there is a public interest in the public knowing that the Council is properly collecting and administering business rates. We also recognise the legitimate public interest associated with the possible promotion of economic activity within the area by making public the locations and rateable values of properties which are vacant business premises.

However, as there has not been any suggestion of impropriety or inadequacy on the Council's part in relation to the administration of business rates, the public interest in knowing that the Council is administering and collecting the business rates of individual properties is somewhat diminished. The Council also promotes economic development in the area and potential businesses are already able to use internet search engines and property websites to find properties which may be suitable for their future needs and for this reason, we consider that the promotion of economic development opportunities in the area can be achieved through means other than by the publication of the information requested which again, diminishes the public interest argument for putting the information into the public domain.

For the reasons outlined above, I consider that the public interest is insufficient to outweigh the common law principle of taxpayer confidentiality.

Extent of Exemption


The application of this exemption applies to the certificates requested. In December 2019, it was accepted by the First Tier (Information Rights) Tribunal in case number EA/2018/0033 that the information requested is exempt by virtue of S41.

Authorised Officer

Name: Robert Tranter

Position: Head of Legal Services & Monitoring Officer

Signed:



Date: 30th September 2025