

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 1 March 2023

Public Authority: Liverpool City Council
Address: Cunard Building
Water Street
Liverpool
L3 1AH

Decision

1. The complainant requested information from Liverpool City Council ("the Council") relating to a selective licensing scheme.
2. The Commissioner's decision is that on the balance of probabilities, the Council does not hold further information within the scope of the request.
3. The Commissioner does not require the Council to take any steps.

Request and response

4. The complainant made the following information request to the Council on 1 March 2022 (numbering added by the Commissioner):

"[1] Please provide the Auditors report of revenue and costs that demonstrate unequivocally that best value has been achieved in your previous scheme. [2] Please confirm whom your current Auditors are and [3] whether they support in terms of best value a new Selective Licensing scheme."

5. The Council provided the complainant with information within the scope of the request.

Reasons for decision

6. This reasoning covers whether the Council is correct when it says that it has disclosed all the information it holds within the scope of the request.
7. The complainant considers the Council to hold further information within the scope of the request. In their complaint to the Commissioner, the complainant stated that they consider the Council to hold information relating to the potential overspend of the selective licensing scheme, which falls within the scope of the request and has not been disclosed.
8. The Council's position is that it has disclosed all the information it holds within the scope of the request. The Council explained that it has carried out a search of records held by the Landlord Licensing Team, Environmental Health, Public Protection, Finance, Legal Services, Procurement and Internal Audit for information within the scope of part 1 of the request. The Council confirmed that it used the search terms 'selective licensing', 'selective landlord licensing', 'landlord licensing', 'landlord licensing scheme', 'new selective licensing', 'proposals for selective landlord scheme' and 'selective landlord licence review' when conducting its search.
9. The Council explained that it then conducted further searches to refine the search results using the search terms 'audit', 'internal audit', 'audit review', 'grant thornton', 'external audit' and 'external audit review'. These searches identified one document within the scope of part 1 of the request, that being a report produced by the Council's Internal Audit Service in April 2017 which has been disclosed to the complainant. The Council stated that it does not hold any further information within the scope of part 1 of the request.
10. The Council explained that in response to part 2 of the request, it informed the complainant that Grant Thornton LLP were the external auditors for the selective licensing scheme. The Council considers that by informing the complainant that Grant Thornton LLP is the Council's current auditors it has provided the complainant with the information requested in part 2 of the request. It stated that it does not hold further information within the scope of part 2 of the request.
11. The Council explained that in response to part 3 of the request, it informed the complainant that under the legislation which governs selective licensing schemes there is no requirement for auditors to approve a selective licensing scheme and therefore, it did not seek

approval from its auditors. Therefore, the Council does not hold information which confirms whether its auditors support the selective licensing scheme in terms of best value for money.

12. The Commissioner is satisfied that the Council has carried out adequate searches for information held within the scope of part 1 of the request. He also considers that by providing the complainant with the name of its external auditor for the selective licensing scheme, the Council has provided the complainant with the information requested in part 2 of the request. The Commissioner accepts the Council's reasoning for not holding information within the scope of part 3 of the request.
13. Therefore, the Commissioner's decision is that on the balance of probabilities, the Council does not hold further information within the scope of the request.

Right of appeal

14. 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

15. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
16. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Joanne Edwards
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF