



## Schedule of Charges – Freedom of Information Act and Environmental Information Regulations

### 1. INTRODUCTION

This document sets out our policy on charging for information provided in response to requests made under the [Freedom of Information Act 2000 \(The Act\)](#), the [Environmental Information Regulations 2004 \(The EIR\)](#) and the [Data Protection Act 1998 \(The DPA\)](#). The policy is consistent with the [Freedom of Information and Data Protection \(Appropriate Limit and Fees\) Regulations 2004 \(The Fees Regulations\)](#).

On receiving a request for information, we will tell you whether there is any information we can provide and, if so, whether there will be a charge for providing it.

In most cases we will not charge for making information available, and wherever possible, will publish information on our website. Our [publication scheme](#) outlines the information we routinely publish.

### 2. FREEDOM OF INFORMATION ACT 2000

Under the Act we are not obliged to provide information where the estimated cost of doing so would exceed the limit set by the Fees Regulations - currently £450 (which is equal to 18 hours of staff time charged at £25 per hour).

In estimating whether the cost of complying with a request would exceed the £450 limit, we can only take into account the costs to be incurred in:

- determining whether we hold the information requested
- locating the information or documents containing the information
- retrieving the information or documents containing the information
- extracting the information from documents containing it, including redacting (blanking out) exempt information
- time spent on communicating the information

We will **not** take into account:

- the time taken to decide whether the request meets the requirements of either the Freedom of Information Act 2000 or the [Environmental Information Regulations 2004](#); or which legislation it falls under
- costs, such as staff time or the provision of legal advice, resulting from considering exemptions.
- the costs involved in considering whether a request is vexatious or a repeated request
- obtaining authorisation to send out the information
- the time taken to calculate fees, including time taken when aggregating requests
- advice and assistance provided under [Section 16](#) of The Act.
- overhead charges such as costs involved in maintaining a database that holds the information

## 2.1 Where the estimated cost is below the £450 limit

The only charge will be for **Disbursements** (see below for relevant charges). No charge can be made for staff time taken in finding or supplying the information.

## 2.2 Where the estimated cost exceeds the £450 limit,

In addition to **Disbursements** we are able to charge costs applicable to:

- determining whether we hold the information requested
- locating the information or documents containing the information
- retrieving the information or documents containing the information
- extracting the information from documents containing it

These costs will be charged at the rate of £25 per hour

## 2.3 Disbursements

These are the costs incurred in:

- photocopying, printing or scanning the information
- providing the information on CD or disk
- postage and packaging
- reformatting information<sup>1</sup>

We will charge for disbursements as follows. We reserve the right to waive charges in circumstances where the cost of recovery would not be economical

<b>Size of Paper</b>	<b>Charges</b>
A4	£0.25
A3	£0.50
A2-A0	£2.50
<b>Other Documents</b>	<b>Charges</b>
Planning Decision Notices	£10.00 per Decision Notice
Appeal Decision Notices	£10.00 per Decision Notice
Other Legal Documents (Section 106 Agreements & TPO's)	£10.00 per document
<b>Postage</b>	Charged at cost
Complying with any obligation under the Act when communicating the information, e.g. request for a preferred format, summarising the information or supervising an inspection of the information	Time spent charged at £25 per hour

Charges will not be applied for costs incurred from meeting our obligations under disability or other equality legislation

---

<sup>1</sup> A charge cannot be made for supplying information in a requested format where it is statutorily obliged to do so, for example, Braille or large print This is different to complying with a request for a preferred format – see [Section 11 Means of Communicating Information](#)

### 3. AGGREGATING REQUESTS FOR COST PURPOSE

In certain situations, the costs of responding to more than one request can be added together or aggregated for the purposes of estimating whether the appropriate limit would be exceeded in relation to any one of those requests. Requests can only be aggregated in the following circumstances:

- we have received two or more requests from the same source, or from different persons who appear to be acting together or are pursuing a campaign
- the requests must relate to the same or similar information
- we must have received the requests within a space of 60 consecutive working days.

This provision is intended primarily to prevent individuals or organisations trying to avoid charges by splitting a request into smaller parts.

### 4. OTHER COSTS

We are committed to the use of electronic means to provide information and will encourage and promote the use of these means wherever appropriate, subject to your stated preferences. Normally information provided electronically (for example as an attachment to an email or via our MailBigFile download tool) will not involve a cost unless a paper copy has been specifically converted for this purpose.

### 5. TIME LIMITS AND CHARGING

We will inform you if a charge is to be made, either for Disbursements, or because providing the information is likely to take more than 18 hours. We will issue a 'Fees Notice' indicating the time we expect it will take and how much is to be charged. Once the Fees Notice has been issued, the clock stops and you will have 3 months in which to pay the charge. If payment is not received during that time, the request lapses and we are not obliged to comply with the request. Once payment has been received and cleared, the clock restarts and we will begin to collate the information.

### 6. ENVIRONMENTAL INFORMATION REGULATIONS 2004

The Fees Regulations do not apply to the Environmental Information Regulations 2004 (The EIR). ICO guidance was revised in 2013 following a case brought before it by East Sussex County Council and current guidance now allows for a reasonable charge to be made for making environmental information available. Following the revision we have decided to adopt the Fees Regulations and charge in accordance with the guidance given for the Freedom of Information Act.

We cannot make a charge for allowing you to inspect information in situ or for accessing public registers or lists of environmental information.

### 7. GENERAL DATA PROTECTION REGULATION 2016

Under the [General Data Protection Regulation](#), you are entitled to ask for access to any personal information about you that we may hold. In most cases we cannot charge a fee to deal with a request. However, we can charge a 'reasonable fee' for the administrative costs of complying with a request:

- if it is manifestly unfounded or excessive; or
- you request further copies of your data after making the request

A 'reasonable fee' is based on the administrative costs of complying with the request. We will contact you to inform you if we propose on charging a fee.

For further information on data protection and how to make a request for your own data, please see our [Data Protection Policy](#)

## 8. COMPLAINTS

If you do not agree with a decision made in respect of applying a fee to your request, then you have a right of appeal through our complaints procedure by email to [AIRR@peakdistrict.gov.uk](mailto:AIRR@peakdistrict.gov.uk)

If you remain dissatisfied following the outcome of the review, you may apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted via the ICO website at: [Your Personal Information Concerns](#).

## 9. REVIEW OF OUR CHARGING POLICY

This policy will be reviewed in conjunction with our [publication scheme](#) at such a time as changes in legislation occur, or as documents and information are revised.

**Michele Sarginson**  
**Data Development Manager and DPO**