

Derby City Council – Response
ID Reference FOI555982659
Date 20/03/2024

Request Time Period: From 1/10/23 to 11/10/23

<p>1.The total number of residential parking permits, and other parking permits, granted to/purchased by the properties of Melbourne Street, Derby DE1 2GF and other nearby properties that allow parking on Melbourne Street excepting properties on Hartington Street (which can park on Hartington Street.</p> <p>21/2/24 Applicant comments/advice:</p> <p>I am basically wanting to calculate how many resident parking permits have been handed out to residents on Melbourne Street, Derby for the number of available spaces. I believe that there are significantly more permits than spaces.</p>	<ul style="list-style-type: none">• Number of eligible properties on Melbourne Street: 74• Number of active resident permits for properties on Melbourne Street: 51• Average number of permits per property: 0.7 (0.689)• Highest number of permits at one property: 3• Number of properties with two permits: 10• Number of properties with three permits: 2 <p>With regard to the comment about spaces, the street does not have a space count as the marked-out bay is a continuous bay and not individual bays. As stated in a previous response, the council does not limit properties on the number of permits that can be purchased per property.</p>																
<p>2.A further breakdown of the number of properties that have</p> <p>- 0 permits</p> <p>- 1 permit,</p> <p>- 2 permits,</p> <p>- 3 permits,</p> <p>- 4 permits,</p> <p>- 5 permits,</p>	<table><tr><th>No. of permits</th><th>No. of properties</th></tr><tr><td>0</td><td>23</td></tr><tr><td>1</td><td>25</td></tr><tr><td>2</td><td>10</td></tr><tr><td>3</td><td>2</td></tr><tr><td>4</td><td>0</td></tr><tr><td>5</td><td>0</td></tr><tr><td>5+</td><td>0</td></tr></table>	No. of permits	No. of properties	0	23	1	25	2	10	3	2	4	0	5	0	5+	0
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<p>- over 5 permits would be helpful and still would contain anonymous data.</p>	
<p>3.If it is appropriate to do so, a list of the number of permits granted to/purchased by each property could be sent and I will process the data myself- I'm only interested in the statistics (csv, spreadsheet, etc).</p>	<p>The Council confirms it hold information that falls within the description of your request.</p> <p>Regulation 13 (2) Personal data third party</p> <p>Regulation 13 states:</p> <p>13.— (1) To the extent that the information requested includes personal data of which the applicant is not the data subject and as respects which either the first.... condition below is satisfied, a public authority shall not disclose the personal data.</p> <p>(2) The first condition is—</p> <p>(a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 2018, that the disclosure of the information to a member of the public otherwise than under these Regulations would contravene—</p> <p>(i) any of the data protection principles; or</p> <p>(ii) section 10 of that Act (right to prevent processing likely to cause damage or distress) and in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing it.</p> <p>Personal data is defined in section 1(1) of the Data Protection Act (DPA) as: ‘data which relate to a living individual who can be identified –</p> <p>(i) from those data, or</p> <p>(ii) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intention of the data controller or any other person in respect of the individual.’</p> <p>The two main elements of personal data are that the information must ‘relate’ to a living</p>



person and that the person must be identifiable. Information will relate to a person if it is about them, linked to them, has some biographical significance for them, is used to inform decisions affecting them, and has them as its main focus or impacts on them in any way.

In this instance, the information is clearly personal data as it relates to number of permits granted to/purchased by each property which would identify which owners/occupiers have or have not purchased permits.

In this case we have considered whether disclosure of the personal data would breach the first data protection principle, which states that: *'Personal data shall be processed fairly and lawfully.'* In considering the first data protection principle and in particular the fairness of disclosure and we have considered the relevant factors below.

Likely expectation of the data subject

The property owners/occupiers would have the expectation that personal data about the number of parking permits purchased/allocated would not be disclosed into the public domain given that disclosure under the EIR is to the world at large.

There is no lawful basis for disclosing the personal data into the public domain.

The legitimate public interest

We accept that releasing this information would reinforce the Council's commitment to being an open and transparent organisation, serving to maintain public confidence in the Council, there is therefore a public interest in this information being disclosed.

However on balance we do not consider that the legitimate public interest would outweigh the interests of the data subjects (property owners/occupiers) in this case and that it would not be fair to put their personal information into the public domain. To do so

	<p>would breach the first Data Protection principle, which requires us to process personal data fairly and lawfully.</p> <p>It is for this reason that we have withheld this information under Regulation 13(2) of the Environmental Information Regulations.</p>
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Please note, the following applies, if the response includes council officers (or other officers) names.

If you are a company that intends to use the names and contact details of council officers (or other officers) provided for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference. You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

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