

FEES AND CHARGES POLICY

Tunbridge Wells Borough Council

The information set out below details our charges for providing information under the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the Data Protection Act 1998. The Freedom of Information (Appropriate Limit and Fees) Regulations 2004 sets out the fees that public authorities are permitted to charge for complying with requests for information.

There is no charge for submitting an FOI request. However, in some cases, we may have to charge a fee to cover the costs of providing the information. For example, where there are administrative or photocopying costs or for postage and packaging. If a charge is required, the cost will be in line with the published list of fees which are detailed in our fees and charges policy.

We do not charge for processing requests under the Freedom of Information Act 2000, providing that the cost of processing does not exceed the statutory limit of £450. This allows for 18 hours (two and-a-half-days) of officer time, at a rate of £25 per hour. When estimating how long it will take to process a request, we take into account the time it will take us to locate, retrieve and extract the information requested; the cost of communicating that information to you and staff time spent on carrying out the activities related to supplying the information. We reserve the right to refuse a request where the estimated cost of processing exceeds £450. However, before refusing a request on this basis, we will always work with you to look at other ways of providing the information so that your request does not exceed the statutory limit. Where we agree to process a request which exceeds the statutory limit of £450, you will be asked to pay our processing costs at a rate of £25 per hour.

Costs

Photocopying	Cost
A4 1 sided black and white	10p
A4 2 sided black and white	15p
A4 1 sided colour	15p
A4 2 sided colour	25p
A3 1 sided black and white	20p
A3 2 sided black and white	30p
A3 1 sided colour	30p
A3 2 sided colour	50p

Audio Visual (price in £ per unit including protective cover)

Format

CD 1.50
DVD 2.00

Photographs (price in £ per photograph)

All sizes: Actual cost of reproduction

Email (including scanned images)

Free of charge

Postage

Costs are dependent upon weight and size and based upon Royal Mail Standard second class postage. Where information is requested to be sent by 'Signed For' and 'Special Delivery', these additional costs are to be met by the applicant.

Notifying Charges

Where charges apply, the Council will notify the applicant of the charge before carrying out any work.

Where charges apply, the Council will require payment before compiling and supplying information.

If a charge is not paid within the specified time limit of 3 months, the information will not be supplied.

Environmental Information Regulations

In dealing with requests for information under the Environmental Information Regulations 2004 (EIR), we are entitled to charge a reasonable amount towards the cost of reproducing the information for you in the format you have requested. We will ask for payment before we process your request and you will have 60 working days to pay the required amount.

Refusing a Request for Environmental Information

An EIR request cannot be refused on grounds of cost alone. In rare cases, we may refuse a request where the cost of processing is unreasonable. For example, where processing would place an unreasonable burden upon the Council, either in terms of officer time or the costs of reproducing the information sought. However, we will never refuse a request on this basis without first working with you to see what information can be provided within reasonable limits. In determining if the cost of processing your request is unreasonable, we may have regard to the statutory limit for processing requests under the Freedom of Information Act 2000. This means that if we estimate that the cost of processing your request exceeds £450, then we

reserve the right to refuse your request. This allows for 18 hours (two and-a-half-days) of officer time at a rate of £25 per hour. When estimating how long it will take to process a request, we take into account the time it will take us to locate, retrieve and extract the information requested; the cost of communicating that information to you and staff time spent on carrying out the activities related to supplying the information.

Data Protection Act (Subject Access Requests)

Under the Data Protection Act (1998) the Council will charge an individual £10 for requesting personal information held by the Council about the individual. These requests for information are referred to as Subject Access Requests.

Details about how to make a Subject Access Request are available on our website.

Advance Payment

An advance payment will be levied in limited circumstances such as when the Council may have to incur additional costs that may be excessive. Each application is considered on its own individual merits.

Waiver of Costs

In exceptional cases we may waive the charges of producing information. Each application would be considered on its own individual merits.

Inspection

There is no charge for examination of any document at the Council Offices including accessing the public registers or lists of environmental information. This is up to the point of examination and includes note taking of information by the applicant but does not include photocopies of documents which would be chargeable.

Aggregation of Requests

If the Council receives within 60 days two or more similar requests from the same person, or from different persons who appear to be acting in concert or in pursuance of a campaign, then those requests will be aggregated for the purposes of estimating costs.

VAT

If the requested information is only available from the public authority, any charges incurred would not attract VAT. However, if the requested information is available from another source that is not a public authority, then VAT may be added to the fee.

Complaints

Any complaints regarding the fees and charges will be dealt with through the Council's Complaints Procedure.

Review of Policy

The fees and charges set out in this Policy will be reviewed annually.

Equalities

In line with the requirements of the Equality Act 2010, we can make reasonable adjustments to help if you have a disability that prevents you from making use of our services. We can also help, if English is not your first language. If you need any support in accessing our services, please let us know as soon as possible. If you require information in an alternative format, there will be no charge for the cost of providing the information in this format.

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