

FREEDOM OF INFORMATION ACT 2000 (SECTION 50)

DECISION NOTICE

Ref: FS50059852

Dated 2005

Name of Public Authority: Westminster City Council (the "Council")

Address: Westminster City Hall
64 Victoria Street
London SW1E 6QP

Nature of Complaint

The Information Commissioner (the "Commissioner") has received a complaint which states that on 13 January 2005 the complainant requested from the Council the following information under the Freedom of Information Act 2000 (the "Act"):

In summary:

Information relating to the inspection and maintenance of the public highway at London W9 1SS in the year to 26 October 2004 and information relating to the complainant's letter to the Council dated 3 November 2004 following his wife's tripping accident which occurred on 26 October 2004.

It is alleged that the Council did not provide the complainant with a meaningful Refusal of Request within 20 working days following the date of receipt of his request. A Refusal of Request must contain the following details in order to comply with the requirements of the Act:

1. The fact that an exemption is being claimed
2. Which exemption is being claimed
3. Why (if not otherwise apparent) the exemption applies
4. Particulars of any internal complaints procedure about the handling of requests for information or a statement that the Council does not have such a procedure
5. Information about making a complaint under Section 50 of the Act to the Information Commissioner's Office.

The Commissioner's Decision

Under section 50(1) of the Freedom of Information Act 2000 the Commissioner is under a duty to consider whether the request for information has been dealt with in accordance with the requirements of Part 1 of the Act and, unless the complaint is withdrawn, to issue a Decision Notice. The complaint has not been withdrawn and therefore the Commissioner has decided to issue a Decision Notice.

The Commissioner's decision is as follows:

In failing to provide to the complainant statements in respect of the five items listed above within 20 working days following date of receipt of his request, the Council

