

Freedom of Information Act 2000 (FOIA)

Decision Notice

Date: 19 September 2011

Public Authority: Norwich City Council
Address: City Hall
Norwich
NR2 1NH

Decision (including any steps)

1. The complainant requested information concerning refuse collection. Norwich City Council failed to respond to this request.
2. The Commissioner's decision is that Norwich City Council has failed to comply with the FOIA by not responding to the complainant's information request.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - Provide a full response to the complainant's information request. This should either provide to the complainant the information requested, or provide a valid explanation for why this information will not be provided.
4. The public authority must take these steps within 35 calendar days of the date of this Decision Notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of the Act and may be dealt with as a contempt of court.

Request and response

5. On 10 February 2011, the complainant wrote to Norwich City Council (the Council) and requested information in the following terms:

"I would like to receive copies of minutes and all notes of the waste supervisors meeting held following the failure to collect recycling waste on 25 January 2011 from Willow Lane, Norwich."

6. Aside from an automated acknowledgement, the Council failed to respond to this request.

Scope of the case

7. The complainant contacted the Commissioner on 6 May 2011 to raise the failure by the Council to respond to his request. The Commissioner's office contacted the Council soon after this and asked it to respond to the request. Shortly prior to the date of this Notice the complainant confirmed that he had yet to receive a response to his request.

Reasons for decision

8. Section 10(1) of the FOIA states that a request should be responded to within 20 working days of receipt. The Council failed to provide any response to the complainant's request, meaning that it has failed to comply with this requirement of the FOIA.

Other matters

9. The Commissioner notes with concern that correspondence from both the complainant and his office failed to elicit any response from the Council to the complainant's request. The Council should ensure that it has appropriate procedures in place to ensure that this failure is not repeated.

Right of appeal

10. 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: 0300 1234504
Fax: 0116 249 4253
Email: informationtribunal@hmcts.gsi.gov.uk
Website: www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm

11. 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.
12. 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

Jon Manners
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