

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 13 March 2012

**Public Authority:** Chief Constable of Northumbria Police  
**Address:** Police Headquarters  
North Road  
Ponteland  
Newcastle Upon Tyne  
NE20 0BL

#### Decision (including any steps)

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1. The complainant requested information about CCTV cameras at Whitley Bay. The public authority initially advised the complainant that his request was vexatious. During the course of the Information Commissioner's investigation the public authority undertook an internal review and went on to disclose all of the requested information which it held. As the information has now been provided the Information Commissioner has not considered whether or not the exemption cited was properly engaged. He has decided that the public authority's handling of the request resulted in procedural breaches of the Act, as explained in this Notice. The Information Commissioner does not require the public authority to take any steps.

#### Background

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2. The request can be followed on the "what do they know" website<sup>1</sup>.

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<sup>1</sup> [http://www.whatdotheyknow.com/request/whitley\\_bay\\_cctv\\_cameras](http://www.whatdotheyknow.com/request/whitley_bay_cctv_cameras)

## Request and response

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3. On 6 October 2011, the complainant wrote to the public authority and requested information in the following terms:

*"Please can you supply me with the following information under the FOIA and also all other rights of access.*

*1. How many CCTV Cameras are installed in the Whitley Bay area?*

*2. When were the CCTV Cameras first installed?*

*3. Please supply all information concerning the location/s of each CCTV camera, including map/s, street name/s etc".*

4. The public authority did not respond. This was on the basis that the request was deemed to be 'vexatious'.

## Scope of the case

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5. On 19 November 2011 the complainant contacted the Information Commissioner to complain that he had received no response from the public authority.

## Reasons for decision

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6. On 12 January 2012 the Information Commissioner asked the public authority to reconsider its position in relation to the request. In doing so it confirmed to him that it no longer considered the request to be vexatious and it advised that it would make a further disclosure to the complainant.
7. On 16 February 2012 the public authority wrote to the complainant and provided all the information requested.
8. The Information Commissioner subsequently invited the complainant to withdraw his complaint. The complainant advised that he still required a decision notice.

9. As the information in this case has been disclosed the Information Commissioner has not considered whether or not the public authority was correct in citing section 14.

**Procedural breaches – section 1 and 10**

10. Section 10(1) of FOIA provides that a public authority should comply with section 1(1) within 20 working days. Section 1(1)(a) initially requires a public authority in receipt of a request to confirm whether it holds the requested information.
11. The request was submitted on 6 October 2011 and the complainant did not receive a response until 16 February 2012. The Information Commissioner therefore finds that the public authority has breached section 10(1) by failing to comply with section 1(1)(a) within the statutory time period.

## Right of appeal

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12. 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](mailto:informationtribunal@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm](http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm)

13. 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.
14. 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**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**