

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 23 May 2013

**Public Authority:** Wolverhampton City Council  
**Address:** Civic Centre  
St Peter's Square  
Wolverhampton  
WV1 1SH

#### Decision (including any steps ordered)

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1. The complainant has requested information relating to the costs associated with the Civic Centre owned by Wolverhampton City Council ("the council"), and the number of properties paying a peppercorn rent rate to the council.
2. The Commissioner's decision is that the council has breached section 10 of the FOIA by failing to reply to the requests within 20 working days.
3. As the council responded to the requests during the course of the Commissioner's investigation, he does not require any steps to be taken by the council.

#### Request and response

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4. On 4 September 2012, the complainant wrote to the council and requested the following information:
  - "1. How much money does it cost for the Civic Centre for heat and electricity per year.*
  - 2. How much did the Civic Centre cost to build, and how much money was borrowed to build it.*
  - 3. Where was the money borrowed from, if borrowed.*
  - 4. Is there any interest still outstanding. If so, how much money and what period of years has it got to be repaid."*

5. In addition, on the 4 September 2012, the complainant also wrote to the council and requested the following information:

*"All properties of Wolverhampton City Council that are leased at peppercorn rent."*

6. The council did not respond to these requests within the prescribed 20 working days.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 30 November 2012 to complain that his two requests for information had not been responded to. During the course of the Commissioner's investigation the council provided the complainant with the information to each request, on the 21 March 2013 and 26 March 2013 respectively. This satisfied the complainant's requests, however, he asked the Commissioner to issue a decision notice to address the delay in obtaining the information he had requested. Therefore, this decision notice concerns the council's late responses which were in breach of section 10 of the FOIA.

### **Reasons for decision**

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8. Section 10 of FOIA requires that an information request should be responded to within 20 working days of receipt. In this case the responses were not provided until over 5 months after the requests were received by the council.
9. The Commissioner's decision is that the council therefore breached section 10 of the FOIA in relation to the complainant's requests.

## Right of appeal

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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](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)

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 .....**

**Andrew White**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**