

## Freedom of Information Act 2000

### Decision notice

**Date:** 9 September 2013

**Public Authority:** London Borough of Hackney  
**Address:** Town Hall  
Mare Street  
London  
E8 1EA

#### Decision (including any steps ordered)

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1. The complainant requested details about applications to hire the London Borough of Hackney's meeting rooms. The Commissioner's decision is that the London Borough of Hackney has not issued a response to this request and therefore breached sections 1 and 10 of the Freedom of Information Act 2000 (the Act).
2. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
  - Issue a response to the complainant
3. 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 pursuant to section 54 of the Act and may be dealt with as a contempt of court.

#### Request and response

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4. On 27 December 2012, the complainant wrote to the London Borough of Hackney and requested information in the following terms:  
*"For each application to hire one of your halls or meeting rooms during January, February or March 2013, please state (a) the applicant's name, (b) the date applied for, and (c) the hall or meeting room applied for."*

5. The request was acknowledged by the London Borough of Hackney on 3 January 2013. The complainant wrote to the London Borough of Hackney on 25 March 2013 to inform it that a response was long overdue. The London Borough of Hackney acknowledged this message but did not provide a significant response to the complainant's request.
6. To date, the London Borough of Hackney has not issued a response to the complainant's request.

### **Scope of the case**

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7. The complainant contacted the Commissioner on 9 April 2013 to complain about the way his request for information had been handled.
8. The Commissioner considers the scope of the case to be whether the London Borough of Hackney has issued a response to the complainant within the stipulated time limit.

### **Reasons for decision**

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9. Section 1 of the Act states that an individual who asks for information is entitled to be informed whether the information is held, and – providing no exemptions apply – if the information is held to have the information communicated to them.
10. Section 10 of the Act states that a public authority must respond to a request promptly or “not later than the twentieth working day following the date of receipt”.
11. The complainant wrote to the London Borough of Hackney on 27 December 2012 and the London Borough of Hackney acknowledged receipt of the request on 3 January 2013. The twentieth working day after that date was 31 January 2013.
12. As previously mentioned, the complainant wrote to the London Borough of Hackney to inform it that a response was overdue. The Commissioner wrote to the London Borough of Hackney on 24 April 2013 asking it to respond to the complainant's request. The London Borough of Hackney did not respond to the Commissioner's message and failed to provide a response to the complainant's request.

As the London Borough of Hackney has not provided a response it has breached sections 1 and 10 of the Act. The Commissioner requires the London Borough of Hackney to issue a response in order to meet its obligations.

## Right of appeal

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13. 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)

14. 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.
15. 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 .....**

**Alexander Ganotis**  
**Group Manager – Complaints Resolution**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**