

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 10 September 2014

Public Authority: Wolston Parish Council
Address: 2 Main Street
Wolston
Coventry
CV8 3HJ

Decision (including any steps ordered)

1. The complainants have requested information about burial procedures and associated processes undertaken by Wolston Parish Council. Wolston Parish Council has considered the requests as vexatious and applied FOIA section 14.
2. The Commissioner's decision is that Wolston Parish Council has correctly applied section 14 to the requests. He notes however that section 14 was applied to some of the requests outside the statutory time limit of 20 working days and therefore Wolston Parish Council has breached section 17(5) of the FOIA. He does not require any steps to be taken.

Background

3. The background to this case is particularly sensitive. The complainants have explained that they were delivered of a premature baby over 34 years ago; the infant passed away within hours of birth. Some years later the complainants were made aware that the health authority involved had retained some of the deceased infant's tissue for examination. The complainants wished to have the tissue interred with the remains of their deceased child. Their efforts to proceed with this process stalled when it became apparent that the Register of Burials was incorrect as it named the deceased as the father rather than the infant. This error was subsequently rectified by a statutory declaration in 2006. The complainants did not accept this amended position and have since

tried to ascertain whether or not the burial plot relating to their deceased child contains those remains or not.

4. The requests to Wolston Parish Council have been made in conjunction with requests to Brandon and Bretford Parish Council and to Wolston, Brandon and Bretford Joint Burial Committee. The requests are linked by their nature and by the connection between all 3 public authorities. Both Wolston Parish Council and Brandon and Bretford Parish Council delegate burial functions to Wolston, Brandon and Bretford Joint Burial Committee. The complaints to the Commissioner in respect of all three public authorities have been handled by the same solicitor. The Decision Notice in respect of Brandon and Bretford Parish Council is held under reference FS50533115 and the Decision Notice in respect of Wolston Brandon and Bretford Joint Burial Committee is held under reference FS50535571.

Request and response

5. The complainants submitted 16 requests to Wolston Parish Council between 10 December 2013 and 24 March 2014. The requests were for information about burial procedures and the authority's structures, legal arrangements and statutory functions in connection with their concerns outlined at paragraph 3. The annex to this notice reproduces the wording of the 16 requests submitted by the complainants to the Commissioner for consideration.
6. Wolston Parish Council responded to the various requests and either applied section 14 to the request or advised that they held no information. During the course of the Commissioner's investigation Wolston Parish Council wrote to the complainants to advise that it was applying section 14 to all of the requests it had received.
7. Wolston Parish Council does not have an internal review mechanism for decisions under the FOIA.

Scope of the case

8. The complainants contacted the Commissioner on 29 January 2014, 10 February 2014, 19 February 2014, 20 February 2014, 4 March 2014, 28 March 2014, 7 April 2014, 8 April 2014, 9 April 2014, 13 April 2014, 14 April 2014 and 23 April 2014 to complain about the way their requests for information had been handled.

9. In considering the scope of this complaint the Commissioner accepts that it is unusual for a public authority to apply section 14 to every request received including initial requests. However, he also accepts that within the FOIA framework and outside of the FOIA, the public authorities concerned have been involved in protracted correspondence with the complainants since 2006 and in the case of Wolston Parish Council, had taken the step, in 2011, of advising the complainants that their continued correspondence bordered on harassment which would mean they would receive no further replies to any correspondence. A further letter was deemed necessary in 2012 to reiterate this position.
10. This background and context is extremely relevant to the public authority's handling of the complainants' requests and the Commissioner's position is that Wolston Parish Council, in these particular circumstances, was entitled to consider the application of section 14 in respect of all of the requests received. Given that the complainants have been corresponding on this issue since 2006 it is understandable that Wolston Parish Council would believe that the correspondence would not end otherwise.
11. The Commissioner therefore considers the scope of his investigation is to determine whether Wolston Parish Council has correctly applied section 14 to the requests.

Reasons for decision

12. Section 14(1) FOIA states that section 1(1) does not oblige a public authority to comply with a request for information if the request is vexatious. There is no public interest test.
13. The term "vexatious" is not defined in the FOIA. The Upper Tribunal (information Rights) recently considered the issue of vexatious requests in the case of the *Information Commissioner v Devon CC & Dransfield*¹. The Tribunal commented that vexatious could be defined as the "manifestly unjustified, inappropriate or improper use of a formal procedure". The Tribunal's definition clearly establishes that the concepts of proportionality and justification are relevant to any consideration of whether a request is vexatious.
14. In the Dransfield case, the Upper Tribunal also found it instructive to assess the question of whether a request is truly vexatious by considering four broad issues: (1) the burden imposed by the request

¹ GIA/3037/2011

(on the public authority and its staff); (2) the motive of the requester; (3) the value or serious purpose of the request and (4) harassment or distress of and to staff.

15. The Upper Tribunal did however also caution that these considerations were not meant to be exhaustive. Rather, it stressed the:

"importance of adopting a holistic and broad approach to the determination of whether a request is vexatious or not, emphasising the attributes of manifest unreasonableness, irresponsibility and, especially where there is a previous course of dealings, the lack of proportionality that typically characterise vexatious requests" (paragraph 45).

16. In the Commissioner's view the key question for public authorities to consider when determining if a request is vexatious is whether the request is likely to cause a disproportionate or unjustified level of disruption, irritation or distress
17. The Commissioner has identified a number of "indicators" which may be useful in identifying vexatious requests. These are set out in his published guidance on vexatious requests². The fact that a request contains one or more of these indicators will not necessarily mean that it must be vexatious. All the circumstances of a case will need to be considered in reaching a judgement as to whether a request is vexatious.

Harassment to the public authority

18. The FOIA is generally considered to be applicant blind, but this does not mean that a public authority may not take into account the wider context in which the request is made or any evidence the applicant has imparted about the purpose behind their request. In this case, the request is made against a backdrop of other extensive correspondence to Wolston Parish Council, Wolston Brandon and Bretford Joint Burial Committee and Brandon and Bretford Parish Council. All of the correspondence relates to the same fundamental issue and is entirely relevant to Wolston Parish Council's consideration of the requests made under FOIA.

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http://ico.org.uk/for_organisations/guidance_index/~media/documents/library/Freedom_of_Information/Detailed_specialist_guides/dealing-with-vexatious-requests.ashx

19. Wolston Parish Council has explained that it employs a clerk to deal with administrative issues; the contracted hours are 20 hours per week to undertake functions for the Parish Councillors and the residents of Wolston. The role is sufficiently diverse and busy to require the amount of hours contracted.
20. The time involved researching the information, familiarising herself with the previous correspondence, determining whether or not the information had previously been disclosed and compiling a reply proved a burden on a very limited resource. It is estimated by Wolston Parish Council that from December 2013 to March 2014 there were many weeks when half of the clerk's contracted hours were taken up dealing with the FOI requests from the complainants. This in turn meant that other duties and responsibilities suffered as there was insufficient time remaining to cover all other tasks.
21. In its submission to the Commissioner, Wolston Parish Council asserted that the effect of these requests was that the clerk felt harassed and stressed. This was not only due to the impact on other areas of work but because there seemed little value or purpose to the requests and there was no tangible way of resolving the issues. It became difficult to ascertain what was being achieved by the requests or by the work undertaken in attempting to address them which, it was felt, was work undertaken in vain.
22. Wolston Parish Council had, in 2011, instructed its solicitor in respect of the correspondence it had received from the complainants. A solicitor's letter was sent to the complainants on 5 August 2011. The letter described the correspondence and communications received by Wolston Parish Council and Wolston, Brandon and Bretford Joint Burial Committee as "*very extensive*". The letter then set out the position regarding the error made on the Register of Burials. The letter also addressed the fact that the complainants had subjected Wolston Parish Council and Wolston, Brandon and Bretford Joint Burial Committee to "*protracted correspondence which, if it continues may amount to harassment*".
23. The position with regard to the correspondence was reiterated in a further solicitor's letter to the complainants on 18 June 2012. On this date the requests made by the complainants were described as "*unreasonable and disproportionate*".
24. The prevailing situation of continual requests, their nature and the adverse effect they were having on the clerk, set against a backdrop of considerable previous correspondence with the three public authorities,

meant that Wolston Parish Council took the decision to apply section 14 to all requests.

Purpose and value of the requests

25. When assessing whether a request, or the impact of dealing with it, is justified or proportionate, it is helpful to assess the purpose and value of the request. The Commissioner has considered the case thoroughly in respect of this request, its background, purpose or value and impact on Wolston Parish Council.
26. The lengthy correspondence and requests under the FOIA were prompted as a result of the discovery of a clerical error. The burial certificate which had been issued following the infant's death recorded the name of the deceased as the father when in fact he was the person registering the burial. The records show that the father was granted the exclusive right of burial and that he had paid the burial fee of £25. He could not therefore be the deceased. Once identified, the error was rectified by a Statutory Declaration dated 17 June 2006. On 12 July 2006, a meeting of the Burial Committee authorised the amendment to the Register of Burials. Solicitors acting on behalf of the three public authorities have explained that the original Statutory Declaration with exhibits was sent to the complainants on 13 July 2006, the day after the records were corrected. A copy of the Statutory Declaration and the resolution dated 12 July 2006 was sent to the complainants again on 4 March 2014 in response to a request made to Wolston, Brandon and Bretford Joint Burial Committee. Writing to the complainants on 5 August 2011, the solicitors for the three public authorities expressed regret for the clerical error and any ensuing distress on behalf of Wolston Parish Council and Wolston, Brandon and Bretford Joint Burial Committee.
27. The Commissioner is satisfied that concerns expressed initially by the complainants have been addressed as fully as is possible by the public authorities involved and that being the case, it is difficult to identify the purpose and value of these subsequent requests to Wolston Parish Council other than to satisfy a personal agenda on behalf of the complainants. The Commissioner is in no doubt that the particular circumstances of this case mean that as far as the complainants are concerned, the requests have a serious value and purpose. The complainants have a strong interest in the matters about which they are pursuing information. However, the Commissioner also acknowledges that there is only a limited public interest in the matters pursued by the complainant, which essentially relate to their private dispute with the public authority. Indeed, during the course of his investigation, the complainants have talked at length on the telephone about their

circumstances with a member of the Commissioner's staff. The Commissioner notes that, whilst their particular circumstances are deserving of a sympathetic and compassionate approach, his role is solely to make an objective analysis of the requests and responses to determine if the FOIA has been correctly applied by Wolston Parish Council.

28. It is clear to the Commissioner that the volume of requests submitted by the complainants in a three month period will create a burden on the authority's resources, particularly given it is a Parish Council and has limited resources. This view is strengthened by the arguments provided by Wolston Parish Council about the impact upon the workload of the clerk. However, the question for the Commissioner to consider here is whether the purpose and value of the requests justify the impact upon the authority; he has concluded that they do not.
29. The burden on the public authority has been significant, has detracted from other areas of work and has caused significant harassment, annoyance and stress to the public authority and in turn, to its only paid employee.

Context and history

30. The Commissioner notes that the underlying issue is the question over remains in a particular plot of land. The question has arisen because of an administrative error which has been rectified by a statutory declaration. Previous correspondence with Wolston Parish Council and Wolston, Brandon and Bretford Joint Burial Committee prompted the issue of two solicitor's letters. Notwithstanding the issue of those letters the complainants have made requests under the FOIA. The Commissioner is satisfied that the history and context of the complainants' dealings with Wolston Parish Council, Brandon and Bretford Parish Council and Wolston Brandon and Bretford Joint Burial Committee mean that their continued use of the FOIA has become unjustified.
31. The Commissioner has considered the purpose of the requests in the context of other communication with Wolston Parish Council and finds that the effect is to harass and annoy the public authority. He also finds that the requests represent an inappropriate and improper use of a public procedure. The complainants had been advised previously that continued communication may amount to harassment but the complainants continued to correspond with Wolston Parish Council, submitting requests under the FOIA. Having been advised that continued correspondence may be considered harassment and that they may not necessarily receive a response to any further correspondence,

the Commissioner considers that the complainants ought to have considered the effects the requests were having on the public authority and recognised that they were unlikely to be complied with.

32. Wolston Parish Council is a small public authority which, the Commissioner accepts, is unable to accommodate the burden on resources presented by the volume of requests received. Whilst smaller public authorities are, like larger authorities, bound by the Freedom of Information Act, it is important to consider that the impact of any significant resource issue will be determined by the limited resources available. T
33. The Commissioner notes too that in a letter dated 14 March 2014 to the complainants, Wolston Parish Council advised that the public are always welcome to look at financial information, policies and any public documents held. In addition, this letter referred to an invitation made by Wolston Parish Council for the complainants to meet at the Parish Office to try to resolve any issues or complaints they may have. To date, the complainants have not taken up this offer.
34. In considering this case, the Commissioner has taken account of the background, the nature and volume of requests, previous communication with Wolston Parish Council and the impact on its day to day running. He has also taken into account the previous protracted correspondence with Brandon and Bretford Parish Council and Wolston, Brandon and Bretford Joint Burial Committee. In conclusion he finds that FOIA section 14(1) is engaged.

Other Matters

35. Although previous responses had been issued within the statutory timescale, the application of section 14 to all requests during the course of the investigation has necessarily meant that in some of the responses, section 17(5) FOIA has been breached. The Commissioner does not require any further steps to be taken.

Right of appeal

36. 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 123 4504

Fax: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

37. 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.
38. 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
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Annex A

Requests to Wolston Parish Council

Requests have been reproduced here from handwritten correspondence and are reproduced in exact format.

1. On 10 December 2013 the complainants requested information of the following description:

"WITH REFERENCE TO AND IN ACCORDANCE WITH, FREEDOM OF INFORMATION LEGISLATION WE WRITE REQUESTING INFORMATION.

WE HAVE, 11.06.2011, MADE FORMAL WRITTEN COMPLAINTS TO WOLSTON PARISH COUNCIL REGARDING THE HANDLING OF MATTERS IN WHICH (a named councillor) WAS INVOLVED IN, RELATED TO AND PARTY TO.

OUR COMPLAINTS WERE HANDLED BY (same named councillor).

PLEASE KINDLY PROVIDE (IN PRINTED PAPER FORMAT) INFORMATION OF THE MOTIONS THAT WERE PASSED BY WOLSTON PARISH COUNCIL WHICH PERMITTED AND ALLOWED (same named councillor) TO HANDLE FORMAL COMPLAINTS, WHICH INVOLVE AND RELATE TO HIMSELF, HIMSELF, AND WHICH ALSO PERMITTED AND ALLOWED HIM TO DO SO WITHOUT THE NEED FOR HIM TO DECLARE 'PREJUDICIAL INTEREST' WHILST HE HANDLED FORMAL COMPLAINTS, RELATING TO HIMSELF, HIMSELF.

PLEASE ALSO PROVIDE (ALSO IN PAPER PRINTED FORMAT) INFORMATION OF THE LEGISLATIVE/CONSTITUTIONAL/FORMAL AUTHORIZATION THAT GIVES A WOLSTON PARISH COUNCIL MEMBER POWER TO HANDLE COMPLAINTS, INVOLVING AND RELATING TO THEMSELVES, THEMSELVES, AND INFORMATION OF THE LEGISLATIVE/CONSTITUTIONAL/FORMAL AUTHORIZATION THAT GIVES WOLSTON PARISH COUNCIL POWERS TO GIVE POWERS TO MEMBERS OF WOLSTON PARISH COUNCIL TO HANDLE COMPLAINTS INVOLVING AND RELATING TO THEMSELVES, THEMSELVES.

PLEASE PROVIDE (IN PRINTED PAPER FORMAT) INFORMATION OF THE LEGISLATIVE/CONSTITUTIONAL/FORMAL AUTHORIZATION THAT GIVES WOLSTON PARISH COUNCIL POWER TO PERMIT A WOLSTON PARISH COUNCIL MEMBER, WITH PREJUDICIAL INTEREST, TO HANDLE COMPLAINTS INVOLVING AND RELATING TO THEMSELVES, THEMSELVES, WITHOUT THE NEED FOR ANY SUCH INVOLVED MEMBER TO DECLARE 'PREJUDICIAL INTEREST' AT ANY PROCEEDINGS RELATING TO THE COMPLAINT AND THE HANDLING OF THE COMPLAINT.

PLEASE KINDLY PROVIDE INFORMATION (IN PRINTED PAPER FORMAT) AS TO WHAT HAS GIVEN (named councillor) POWER TO HANDLE FORMAL COMPLAINTS, INVOLVING HIMSELF, HIMSELF.

2. On 12 January 2014 the complainants requested information of the following description:

"WEWRITE MAKING A FREEDOM OF INFORMATION REQUEST UNDER FREEDOM OF INFORMATION LEGISLATION.

IN 2006 WOLSTON PARISH COUNCIL AND WOLSTON, BRANDON AND BRETTFORD JOINT BURIAL COMMITTEE BREACHED LOCAL GOVERNMENT ACT 1894.

GIVEN THAT WOLSTON PARISH COUONCIL MUST HOLD INFORMATION AS TO 'UNDER WHAT POWER, WHAT AUTHORITY AND WHAT LEGISLATION' WPC AND WBBJBC BREACHED LOCAL GOVERNMENT ACT 1894 (RE THE TRANSFERENCE OF PUBLIC AUTHORITY/LOCAL AUTHORITY/CIVIL AUTHORITY POWER, DUTY, FUNCTION TO THE CHURCH OF ENGLAND), PLEASE KINDLY SUPPLY OURSELVES WITH RELEVANT INFORMATION AS TO WOLSTON PARISH COUNCIL'S AND WOLSTON BRANDON AND BRETTFORD JOINT BURIAL COMMITTEE'S 'POWERS, AUTHORITIES, LEGISLATIONS' THAT GIVE WPC AND WBBJBC EMPOWERMENT TO BREACH LOCAL GOVERNMENT ACT 1894.

3. On 13 January 2014 the complainants requested information of the following description:

"WE ARE MAKING A FREEDOM OF INFORMATION REQUEST IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT.

PLEASE KINDLY SUPPLY INFORMATION AS TO HOW MANY DEATH CERTIFICATE COPIES WOLSTON PARISH COUNCIL HAS TAKEN CUSTODY OF AND AS TO HOW MANY DEATH CERTIFICATE COPIES ARE IN WOLSTON PARISH COUNCIL'S CUSTODY.

PLEASE SUPPLY INFORMATION AS TO HOW MANY TIMES WOLSTON PARISH COUNCIL HAS REQUIRED CUSTODY OF COPY DEATH CERTIFICATES.

4. On 15 January 2014 the complainants requested information of the following description:

WE WRITE MAKING A FREEDOM OF INFORMATION REQUEST UNDER FREEDOM OF INFORMATION LEGISLATION, RE LOCAL GOVERNMENT ACT 1894 AND WPC.

WPC HELD IRREGULAR INFORMATION WITH REFERENCE TO (a specified plot) DYERS LANE CEMETERY, WOLSTON.

IN A 03.06.2006 LETTER DIRECTLY TO THE DCA (NOW THE MINISTRY OF JUSTICE) WPC (COPY ENCLOSED FOR EASE OF REFERENCE), GAVE INFORMATION INDICATING AND IMPLICATING THAT LOCAL GOVERNMENT ACT 1894 WAS EITHER BEING DISREGARDED BY WPC OR DID NOT APPLY TO WPC. PLEASE KINDLY SUPPLY INFORMATION AS TO WHICH.

IS IT THE CASE THAT WPC IS EXEMPT FROM THE 1894 ACT? IS IT THE CASE THAT THE 1894 ACT DOES NOT APPLY TO WPC? IS IT THE CASE THAT THE 1894 ACT HAS BEEN REVOKED BY WPC? IS IT THE CASE THAT THE 1894 ACT HAD BEEN REVOKED BY THE ECCLESIASTICAL AUTHORITIES? IS IT THE CASE THAT THE 1894 ACT HAD BEEN REVOKED BY THE PRESENCE OF IRREGULARITIES IN INFORMATION THAT WPC HELD OR IS IT THE CASE THAT THERE IS 'ANOTHER' POSSIBILITY?

PLEASE KINDLY SUPPLY INFORMATION AS TO THE 'REASON' WHY WPC DIREGARDS AND DID NOT APPLY, THE LOCAL GOVERNMENTACT 1894 TO WPC, RE RECORDED/RECORDABLE/PUBLISHED/PUBLISHABLE INFORMATION".

5. On 16 January 2014 the complainants requested information of the following description:

"WE WRITE MAKING A FREEDOM OF INFORMATION REQUEST UNDER FREEDOM OF INFORMATION LEGISLATION RE FINANCIAL INFORMATION, ANNUAL RETURN AND AUDITOR REPORT RE WOLSTON PARISH COUNCIL AND WOLSTON, BRANDON AND BRETTFORD JOINT BURIAL COMMITTEE (WBBJBC)

PLEASE KINDLY SUPPLY COPIES OF WPC'S AND WBBJBC'S ANNUAL RETURNS AND AUDITOR REPORTS FOR THE YEARS 2005-2006,2006-2007 AND THE YEARS 2010-2011, 2011-2012, 2012-2013.

PLEASE KINDLY SUPPLY COPIES OF WPC'S AND WBBJBC'S FINACIAL INFORMATION (RE INCOME/EXPENDITURE ETC.ETC.) FOR THE SAME YEARS AS LISTED AND IDENTIFIED ABOVE.

6. On 5 February 2014 the complainants requested information of the following description:

"WE WRITE MAKING A FREEDOM OF INFORMATION REQUEST UNDER FREEDOM OF INFORMATION LEGISLATION.

WPC INFORMED THE ICO, 21.01.2014, (REF. FS50520437) THAT IN 2006 WOLSTON, BRANDON AND BRETTFORD JOINT BURIAL COMMITTEE (WBBJBC) (TO WHOM WPC AND BRANDON AND BRETTFORD PARISH COUNCIL (B&BPC) JOINTLY DELEGATE RESPECTIVE BURIAL AUTHORITY FUNCTIONS AND WHO HAVE BEEN PROCESSING BURIALS SINCE ESTABLISHMENT IN 1894 AND RE-ESTABLISHMENT IN 1974) SOUGHT 'INFORMATION', 'LEGAL ADVICE' AND 'LEGAL DOCUMENTS' FROM A 3RD PARTY, (named solicitor) AND DEPUTY CORONER.

WITH REFERENCE TO WPC'S 21.01.2014 SUPPLIED INFORMATION, PLEASE SUPPLY US WITH EVIDENCE THAT THAT SUPPLIED INFORMATION IS TRUE. PLEASE SUPPLY THE EVIDENCE, THAT YOU MUST HOLD, THAT QUANTIFIES WPC'S 21.01.2014 INFORMATION PROVIDED AND THAT QUALIFIES WPC TO SUPPLY THE ICO WITH SUCH INFORMATION.

PLEASE SUPPLY INFORMATION, THAT WPC MUST HOLD, THAT (named solicitor) WAS SUPPLYING HIS SERVICES IN HIS CAPACITY AS A SOLICITOR AND IN HIS CAPACITY AS A DEPUTY CORONER.

7. On 15 February 2014 the complainants requested information of the following description:

"THANK YOU FOR 13.02.2014 LETTER IN WHICH IT IS ESTABLISHED THAT WOLSTON, BRANDON AND BRETTFORD JOINT BURIAL COMMITTEE (WBBJBC) IS A LOCAL AUTHORITY/PUBLIC AUTHORITY LEGAL ENTITY.

WITH REFERENCE TO FOI, AND FOI LEGISLATION, PLEASE KINDLY INFORM US UNDER WHAT AUTHORITY, BY LAW, WPC HAS BEEN ACTIVE IN, AND INVOLVED IN, BUSINESS BELONGING TO, AND PERTAINING TO, ANOTHER LOCAL AUTHORITY, PUBLIC AUTHORITY LEGAL ENTITY.

PLEASE PROVIDE, IN PRINTED PAPER FORMAT, DOCUMENTED AUTHORIZATION THAT WPC SHOULD BE ACTIVE IN, AND INVOLVED IN, BUSINESS BELONGING TO, AND PERTAINING TO, ANOTHER LOCAL AUTHORITY/PUBLIC AUTHORITY LEGAL ENTITY.

8. On 21 February 2014 the complainants requested information of the following description:

"WE ARE MAKING A FOI REQUEST UNDER FOI LEGISLATION, RE WPC'S CORRESPONDENCE LISTS.

PLEASE KINDLY SUPPLY OURSELVES WITH (IN PRINTED PAPER FORMAT) COPIES OF ALL WPC'S CORRESPONDENCE LISTS DATING BACK TO 2006/7 TO THE PRESENT DAY, IN WHICH CORRESPONDENCE FROM OURSELVES ARE LOGGED".

9. On 27 February 2014 the complainants requested information of the following description:

"WE WRITE MAKING A FOI REQUEST UNDER FOI LEGISLATION.

WPC HAS SOUGHT PROFESSIONAL LEGAL SERVICES FROM THE PARISH COUNCIL'S PUBLIC LOCAL AUTHORITY'S SOLICITORS ROTHERHAM AND CO., TO TAKE LEGAL MEASURES TO PREVENT WPC FROM RECEIVING CORRESPONDENCE FROM OURSELVES.

PLEASE PROVIDE (IN WRITTEN PAPER FORMAT) INFORMATION, INCLUDING EVIDENCE, AS TO WHY.

PLEASE PROVIDE (IN WRITTEN PAPER FORMAT) INFORMATION, INCLUDING EVIDENCE, AS TO WPC'S POWERS AND AUTHORITY TO PREVENT ITSELF FROM RECEIVING (AND THE NEED TO ATTEND TO) CORRESPONDENCE FROM OURSELVES.

WPC HAS SOUGHT PROFESSIONAL LEGAL SERVICES FROM THE PARISH COUNCIL'S/PUBLIC LOCAL AUTHORITY'S SOLICITORS, ROTHERHAM AND CO., TO TAKE LEGAL MEASURES TO PREVENT WPC FROM RECEIVING COMPLAINTS FROM OURSELVES.

PLEASE PROVIDE (IN WRITTEN PAPER FORMAT) INFORMATION, INCLUDING EVIDENCE, AS WPC'S POWER AND AUTHORITY TO PREVENT ITSELF FROM RECEIVING (AND THE NEED TO ATTEND TO) COMPLAINTS FROM OURSELVES"

10. On 2 March 2014 the complainants requested information of the following description:

"WE WRITE REGARDING OUR FOI REQUESTS RE WPC'S HANDLING OF FOI REQUESTS.

WPC HAS HANDLED FOI REQUESTS BY SEEKING SERVICES FROM 3RD PARTIES, (PROFESSIONAL LEGAL SERVICE PROVIDERS).

PLEASE IDENTIFY, IN WRITING, WPC'S PROFESSIONAL LEGAL SERVICE PROVIDER/LEGAL SERVICE PROVIDERS, TO WHOM WPC HAS PAID FEES, RE FOI REQUESTS.

PLEASE IDENTIFY, IN WRITING, WPC'S PROFESSIONAL LEGAL SERVICE PROVIDER/LEGAL SERVICE PROVIDERS, TO WHOM WPC HAS NOT PAID FEES, RE FOI REQUESTS.

PLEASE IDENTIFY, IN WRITING , WPC'S PROFESSIONAL LEGAL SERVICE PROVIDER/LEGAL SERVICE PROVIDERS, TO WHOM WPC HAS PAID FEES, RE OTHER ISSUES.

PLEASE IDENTIFY, IN WRITING, WPC'S PROFESSIONAL LEGAL SERVICE PROVIDER/ LEGAL SERVICE PROVIDERS, TO WHOM WPC HAS NOT PAID FEES, RE OTHER ISSUES.

PLEASE IDENTIFY, IN WRITING, THE 'PROFESSIONAL SERVICE' THAT WPC OBTAINED FROM PROFESSIONAL LEGAL SERVICE PROVIDER/LEGAL SERVICE PROVIDERS WITHOUT PAYING FEES, RE FOI REQUESTS.

PLEASE IDENTIFY, IN WRITING, THE 'PROFESSIONAL SERVICE, THAT WPC OBTAINED FROM PROFESSIONAL LEGAL SERVICE PROVIDER/LEGAL SERVICE PROVIDERS WHILST PAYING FEES, RE FOI REQUESTS.

11. On 4 March 2014 the complainants requested information of the following description:

"WE WRITE MAKING A FOI REQUEST UNDER FOI LEGISLATION

IT IS ESTABLISHED THAT WPC AND BRANDON AND BRETTFORD PARISH COUNCIL (B&BPC) JOINTLY DELEGATE THEIR BURIAL AUTHORITY FUNCTIONS TO WOLSTON BRANDON AND BRETTFORD JOINT BURIAL COMMITTEE (WBBJBC).

IT IS ESTABLISHED THAT WBBJBC IS A PUBLIC AUTHORITY LEGAL ENTITY.

IT IS ESTABLISHED THAT WPC AND B&BPC ARE PART OF THE LEGAL ENTITY WBBJBC.

IT IS ESTABLISHED THAT WPC AND B&BPC ARE WBBJBC'S PRINCIPAL AUTHORITIES.

WE HAVE MADE FORMAL COMPLAINT, 11.06.2011, TO WPC (RE PROCEDURAL IMPROPRIETY IN 2006) AGAINST WBBJBC, ON WHICH WPC'S CHAIRMAN (A named individual), ALSO SERVES/SERVED.

WPC AND B&BPC HANDLED OUR FORMAL 11.06.2011 COMPLAINT BY OBTAINING FREE SERVICES FROM A 3RD PARTY (ROTHERHAM 7 CO), BY INSTRUCTING THE 3RD PARTY TO ACT TO KEEP REITERATING WBBJBC'S AND (named councillor's) VERSION OF UNDERTAKEN PROCEDURES RE 2006, AND BY INSTRUCTING THE THIRD PARTY TO PROVIDE WPC, B&BPC AND (named councillor) WITH A FREE GAG (complainants' names) SERVICE.

PLEASE PROVIDE (IN WRITING AND PRINTED PAPER FORMAT/HARD COPY) INFORMATION AND EVIDENCE THAT IT IS LEGAL FOR WPC, B&BPC AND (named councillor) TO HANDLE FORMAL COMPLAINTS, (INVOLVING [named councillor], PROCEDURAL IMPROPRIETY, WPC'S AND B&BPC'S JOINT BURIAL COMMITTEE), BY OBTAINING FREE 'GAGGING' SERVICES FROM A 3RD PARTY AND BY INSTRUCTING A 3RD PARTY TO PROVIDE THEM ALL WITH A FREE 'GAG (names of complainants)' SERVICE.

12. On 8 March the complainants requested information of the following description.

"WE WRITE MAKING A FOI REQUEST UNDER FOI LEGISLATION..

PLEASE KINDLY SUPPLY, IN PRINTED PAPER FORMAT/HARD COPY, COPIES OF WPC MONTHLY CORRESPONDENCE/COMMUNICATIONS RECEIVED LISTS FOR THE PERIOD

*01.12.2013 TO 01.01.2014
01.01.2014 TO 01.02.2014
01.02.2014 TO 01.03.2014*

13. On 18 March 2014 the complainants requested information of the following description:

"WE WRITE TO MAKE A FOI REQUEST UNDER FOI LEGISLATION WITH REFERENCE TO WPC'S PROCEEDINGS/ACTIVITIES OF 24.06.2011 RE OURSELVES.

PLEASE PROVIDE (IN PRINTED PAPER FORMAT/HARD COPY) EVIDENCE (INFORMATION THAT PROVES) THAT IT WAS LEGAL FOR WPC (AND WOLSTON PARISH COUNCILLORS) TO HOLD/UNDERTAKE THE PROCEEDINGS/ACTIVITIES OF 24.06.2011, RE OURSELVES, BEHIND OUR

BACKS, WITHOUT OUR PRESENCE, WITHOUT OUR KNOWLEDGE AND WITHOUT OUR PERMISSION”.

14. On 19 March 2014 the complainants requested information of the following description:

“WE WRITE MAKING A FOI REQUEST UNDER FOI LEGISLATION RE WPC’S ACTIVITY/ACTIVITIES WITH 3RD PARTIES, FOLLOWING WPC’S PROCEEDINGS/ACTIVITIES OF 24.06.2011 PERTAINING TO OURSELVES-

PLEASE PROVIDE (IN PRINTED PAPER FORMAT/HARD COPY) EVIDENCE (INFORMATION THAT PROVES) THAT IT WAS LEGAL FOR WPC TO PROVIDE WPC REPRESENTATIVES TO PARTICIPATE IN ACTIVITY/ACTIVITIES, WITH 3RD PARTIES, PERTAINING TO OURSELVES FOLLOWING WPC’S PROCEEDINGS/ACTIVITIES OF 24.06.2011 PERTAINING TO OURSELVES”.

15. On 20 March 2014 the complainants requested information of the following description:

“WE WRITE MAKING A FOI REQUEST UNDER FOI LEGISLATION RE WOLSTON PARISH COUNCIL’S (WPC) DECISION/DIRECTIVE OF 24.06.2011

PLEASE PROVIDE THE NAMES OF THE TWO WPC REPRESENTATIVES, WHO ATTENDED MEETINGS/APPOINTMENTS/DISCUSSIONS WITH REPRESENTATIVES FROM BRANDON AND BRETTFORD PARISH COUNCIL (B&BPC) AND WOLSTON, BRANDON AND BRETTFORD JOINT BURIAL COMMITTEE (WBBJBC) AND A ‘OTHER’ 3RD PARTY, AND WHO HELD DISCUSSIONS AND MADE DECISIONS, REGARDING OURSELVES AND OUR CORRESPONDENCE, BEHIND OUR BACKS, WITHOUT OUR PRESENCE, WITHOUT OUR KNOWLEDGE AND WITHOUT OUR PERMISSION”.

16. On 24 March 2014 the complainants requested information of the following description:

“WE WRITE MAKING A FOI REQUEST UNDER FOI LEGISLATION.

IT IS ESTABLISHED, BY DIRECTION OF LOCAL GOVERNMENT ACTS, THAT WOLSTON, BRANDON AND BRETTFORD JOINT BURIAL COMMITTEE (WBBJBC) CARRY OUT STATUTORY PUBLIC AUTHORITY FUNCTION AND DUTY FOR WPC (AND BRANDON AND BRETTFORD PARISH COUNCIL).

PLEASE PROVIDE (IN PRINTED PAPER FORMAT/HARD COPY) DIRECTION INFORMATION THAT ST MARGARET’S PAROCHIAL CHURCH COUNCIL/ST MARGARET’S PAROCHIAL CHURCH COUNCIL TRUSTEES ALSO CARRY OUT STATUTORY PUBLIC AUTHORITY FUNCTION AND DUTY FOR WPC (AND BRANDON AND BRETTFORD PARISH COUNCIL)”