

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 22 July 2015

**Public Authority:** Transport for London  
**Address:** 8<sup>th</sup> Floor  
Windsor House  
42-50 Victoria Street  
London  
SW1H 0TL

#### Decision (including any steps ordered)

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1. The complainant has requested information from Transport for London (TfL) about private hire licences, enforcement matters and meeting minutes. TfL acknowledged the request but did not go on to provide the complainant with a response.
2. The Commissioner's decision is that Transport for London has breached section 10 of the FOIA because it did not respond to the complainant's request within the 20 working days that is a requirement of the Act.
3. Transport for London has advised the Commissioner that it has now responded to the request. Consequently, the Commissioner does not require it to take any further steps.

#### Request and response

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4. On 21 March 2015, the complainant wrote to TfL and requested information in the following terms:

*"1. The date Uber were granted their Private Hire Operators Licence (PHOL) and a copy of the compliance check carried out evidencing how they met each criteria necessary for a PHOL;*

*2. How many Private Hire Licences have been issued to individual*

*drivers by TfL since Uber were granted their PHOL by year and month; data on the level of emissions emitted into the environment by year and month;*

*3. A copy of the structure chart for TfL Enforcement Department, please disregard the names of staff I do not want Personal Data in accordance with the Data Protection Act;*

*4. The number of Enforcement Officers by year and month since April 2012;*

*5. Statistics since April 2012, by year and month, detailing the enforcement action taken by TfL and the number of arrests and successful convictions against Private Hire Licence holders where this information is held by TfL if jointly carried out with the Met Police;*

*6. Please provide copies of agendas and minutes where emissions data have been discussed in relation to the number of Private Hire Licences since April 2012;"*

5. Transport for London acknowledged the request on 24 March but did not go on to provide a response.

## **Scope of the case**

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6. The complainant contacted the Commissioner on 23 May because he had not received a response from TfL. The Commissioner wrote to TfL on 10 June and asked it to respond to the complainant's request. The complainant confirmed on 3 July that he had not received a response, however on 9 July Transport for London advised the Commissioner that it had responded.
7. The Commissioner has considered whether TfL has met its obligations under section 1 and section 10 of the FOIA.

## **Reasons for decision**

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8. Section 1(1) of the FOIA says that when a public authority receives a request, it must confirm or deny whether it holds the information, and if it does, the information must be communicated to the requester.

9. Section 10(1) of the Act says that public authorities must comply with section 1(1) within 20 working days of receiving the request.
10. In this case, the complainant submitted his request on 21 March 2015 and did not receive a response until 9 July.

## Right of appeal

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11. 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: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

12. 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.
13. 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 .....**

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