

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 21 June 2018

**Public Authority:** Liverpool City Council  
**Address:** Cunard Building  
Water Street  
Liverpool  
L3 1AH

#### Decision (including any steps ordered)

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1. The complainant has requested information with regards to a bus service. The council provided its response but provided it outside the required timeframes.
2. The Commissioner's decision is that the council breached section 10(1) of the FOIA.
3. As the response has now been issued, the Commissioner does not require the council to take any steps.

#### Request and response

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4. On 26 September 2017 the complainant made the following request for information via the WhatDoTheyKnow website:

*"The 82 bus service in Liverpool had its route changed in September 2017.*

*Please provide all correspondence with Merseytravel and the bus companies received by or sent from the city council which mentioned, discussed or made representations about the change of route, the possible need for a change, or any difficulty with operating the previous route.*

*The period of interest is 1 January 2017 to the present.*

*"Correspondence" should include all letters, emails and records of meetings or telephone conversations."*

5. The request was acknowledged by the council on 27 September 2017.

6. The complainant followed up with the council for a response to his request on the 25 October 2017 and 1 November 2017.
7. The complainant then contacted the Commissioner on the 22 December 2017 as he still had received no response from the council.
8. Following contact from the Commissioner the council responded to the complainant's request on the 6 March 2018.

### **Scope of the case**

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9. The complainant contacted the Commissioner further as he was not satisfied with the time it has taken the council to respond to his request.
10. The Commissioner considers the scope of the case is to determine whether the council has breached section 10(1) of the FOIA – Time for response.

### **Reasons for decision**

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#### **Section 10 of the FOIA – Time to respond**

11. Section 10(1) of the FOIA requires a public authority to respond to a request for information within 20 working days following its receipt.
12. In this case the complaint's request was made on the 26 September 2017 and the council did not issue its response until the 6 March 2018, almost six months later.
13. This is clearly outside the required time to respond and therefore the Commissioner finds that the council has breached section 10(1) of the FOIA.

## Right of appeal

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14. 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)

15. 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.
16. 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**