

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 15 October 2020

**Public Authority:** Central Bedfordshire Council  
**Address:** Watling House  
High Street North  
Dunstable  
LU6 1LF

#### Decision (including any steps ordered)

---

1. The complainant requested information relating to parking restrictions in Linslade.
2. The Commissioner's decision is that Central Bedfordshire Council ("the Council") failed to respond to the request within 20 working days and therefore breached section 10 of the FOIA.
3. As the Council has now provided a response to the complainant, the Commissioner does not require the Council to take any steps.

#### Request and response

---

4. On 21 November 2019, the complainant wrote to the Council and requested information in the following terms:

*"The introduction of parking Restrictions in Mowbray Drive, Linslade*

*Please provide copies of the following information relating to the above matter since Monday 10 December 2018:*

*1 Emails sent and received.*

*2 Correspondence Sent and received.*

*3 Printed or handwritten notes/documents.*

*4 Informal or formal meeting notes and/or minutes.*

*5 any images, video and audio recordings.*

*6 Instructions, howsoever transmitted, to the contractors/implementation team regarding the installation of yellow lines."*

5. The Council acknowledged the request on 22 November 2019 but did not respond substantively until 14 January 2020.

### **Scope of the case**

---

6. The complainant contacted the Commissioner on 27 February 2020 to complain about the way his request for information had been handled. Following correspondence about this case the complainant confirmed on 2 July 2020 that he wished a decision notice to be issued recording the late response to his information request.
7. The scope of this notice is to consider whether the Council complied with section 10 of the FOIA.

### **Reasons for decision**

---

8. Section 1(1) of the FOIA states that:

*Any person making a request for information to a public authority is entitled –*

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and*
- (b) if that is the case, to have that information communicated to him.*

9. Section 8(1) of the FOIA states:

*In this Act any reference to a "request for information" is a reference to such a request which –*

- (a) is in writing,*
- (b) states the name of the applicant and an address for correspondence, and*
- (c) describes the information requested.*

10. The Commissioner considers that the request in question fulfilled these criteria and therefore constituted a valid request for recorded information under the FOIA.
11. Section 10 of the FOIA states that responses to requests made under the Act must be provided "*promptly and in any event not later than the twentieth working day following the date of receipt.*"
12. From the evidence presented to the Commissioner in this case, it is clear that, in failing to issue a response to the request within 20 working days, the Council breached section 10 of the FOIA.

## Right of appeal

---

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: 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)

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** .....

**Ben Tomes**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**