

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 2 March 2023

Public Authority: Plymouth City Council
Address: Plymouth
PL1 3BJ

Decision (including any steps ordered)

1. The complainant requested information from Plymouth City Council ("the Council") relating to a grave.
2. The Commissioner considers that the Council has carried out adequate searches for the requested information. Therefore, the Commissioner's decision is that on the balance of probabilities, the Council has disclosed all the information it holds within the scope of the request.
3. The Commissioner does not require the Council to take any steps.

Request and response

4. The complainant made the following information request to the Council on 15 September 2022:

"My cousin has confirmed with [name redacted] he would like to purchase a lease on this grave so he can finally place headstone on the family grave, however, before he moves forward with this we would like access to all records held on Plot C14969 and I have highlighted this on the copy of the complaint attached. A payment was asked for and paid in 1958 and was hopefully calculated from records held. These records will hold information

of names, dates, amounts etc. that we have not seen and it is these and any other records held that will help us determine the way forward.”

5. The Council provided the complainant with information within the scope of the request.

Reasons for decision

6. This reasoning covers whether the Council holds further information within the scope of the request which has not been disclosed.
7. The complainant considers the Council to hold further information within the scope of their request. In their complaint to the Commissioner, the complainant stated that they consider that the Council would hold a copy of a contract that was taken out with their family and the Council when the first burial took place in 1928. The complainant believes that this document would set out whether or not the grave was purchased, whether payments were made in order to eventually own the grave, or whether payments were made to keep the grave and its surroundings tidy. The complainant also considers that the Council would hold a breakdown of payments made by a family member in 1958.
8. The Council considers that it has provided the complainant with all the information it holds within the scope of the request. The Council explained that information relating to the grave would be held within the Council's grave register. The Council confirmed that it has provided the complainant with all the information held within the grave register that falls within the scope of the request.
9. The Council explained that if the grave had been purchased in 1958 by the complainant's family member, a deed would have been issued which would be recorded in the Council's deed register. However, the Council stated that it does not hold any information relating to the purchase of the grave in 1958. Furthermore, the Council stated that it does not hold information relating to payments made by the complainant's family member in 1958 as any financial records from that period would have been destroyed in accordance with the Council's retention policy.
10. The Commissioner considers that the Council has carried out adequate searches for the requested information. Therefore, the Commissioner's decision is that on the balance of probabilities, the Council has disclosed all the information it holds within the scope of the request.

Right of appeal

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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: 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

Joanne Edwards
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF