

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 1 March 2024

Public Authority: North East Lincolnshire Council
Address: Municipal Offices
Town Hall Square
Grimsby
North East Lincolnshire
DN31 1HU

Decision (including any steps ordered)

1. The complainant requested information from North East Lincolnshire Council ("the Council") relating to a car registration plate. The Council denied holding information within the scope of the request.
2. The Commissioner's decision is that on the balance of probabilities, the Council does not hold information within the scope of the request.
3. The Commissioner does not require the Council to take any steps.

Request and response

4. On 25 November 2023, the complainant wrote to the Council and requested information in the following terms:

"This request is for information on the authority's ownership of the vehicle index number 'GY 1' used by the Mayoralty of the former Grimsby Borough:

- 1) Was this plate disposed of by reason of sale to another party and when was this?
- 2) If so, was this other party connected, either directly or indirectly, with members or officers of the authority?

- 3) Was any such disposal made through a professional agent or was this conducted by the authority alone?
 - 4) Was any such sale advertised for the public to make a bid?
 - 5) Was any such sale subject to covenants (implicit or explicit)?
 - 6) If so, what were these covenants and did they provide for any agreed buy-back by the authority or a first refusal by the authority to repurchase should there be a subsequent resale?"
5. The Council denied holding information within the scope of the request.

Reasons for decision

6. This reasoning covers whether the Council is correct when it says that it does not hold information within the scope of the request.
7. The complainant considers the Council to hold information within the scope of their request. In their complaint to the Commissioner, the complainant stated that the Council must hold the information they requested as it relates to the disposal of a public asset and that such information would be recorded in the Council's accounts.
8. In its submissions to the Commissioner, the Council stated that after discussing the matter with staff members, it considers that it is likely that the registration plate 'GY1' was sold around 1997/8. It explained that the registration plate was originally purchased by Grimsby Borough Council for its mayoral car. However, in March 1996 when Grimsby Borough Council ceased to exist and when North East Lincolnshire Council was established, the registration plate would no longer have been used. According to the Council registration plate 'NEL100' was purchased instead and so the registration plate 'GY1' would have been sold or otherwise disposed of.
9. The Council explained that if it held information within the scope of the request, the information would be held by its Fleet department, Civic/Mayoral department or Finance department as these departments would have been responsible for, or held records relating to the purchase, use or sale of the registration plate 'GY1'. It has therefore conducted a search of both electronic and paper records held by its Fleet Department, Civic/Mayoral department and Finance department for information within the scope of the request.

10. The Council explained that it has conducted a search of its finance records for information within the scope of the request using search terms such as 'GY1', 'mayoral car' and other general references to fleet and vehicles. However, no information within the scope of the request was located. The Council stated that it is only required to hold financial records for the current year plus the six preceding years.
11. The Council stated that it has conducted a search of fleet data, including spreadsheets containing fleet vehicles data from 2004, for information within the scope of the request. However, no information relating to the registration plate 'GY1' was located. The Council also explained that it carried out a search of records held by its Civic/Mayoral department using the search terms 'GY1', 'mayoral car' and other general references to fleet vehicles. However, the search did not locate any information within the scope of the request.
12. The Commissioner acknowledges that the complainant expects the Council to hold information within the scope of the request as the request relates to the sale of a public asset. However, based on the explanations provided by the Council, the Commissioner is satisfied that the Council has carried out reasonable searches for information within the scope of the request.
13. Furthermore, the Commissioner notes that the Council has stated that the registration plate 'GY1' was sold by it in approximately 1997 or 1998. As the Council is only required to retain financial records for six years and given that much longer than this has passed since the Council states the registration plate was sold, the Commissioner accepts that it is unlikely that financial records within the scope of the request would continue to be held.
14. Therefore, the Commissioner's decision is that, on the balance of probabilities, the Council does not hold information within the scope of the request.

Right of appeal

15. 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

16. 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.
17. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

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