

Freedom of Information Act 2000 (FOIA)
Decision notice

Date: 15 July 2024

Public Authority: Brighton and Hove City Council

Address: Hove Town Hall
Norton Road
Hove
BN3 3BQ

Request:

The complainant requested the following information from Brighton and Hove City Council on 5 April 2024:

"In relation to the hotel in Hove that was used to house unaccompanied asylum seeking children in Hove, please would you confirm the following:

- on what date did Brighton and Hove City Council seek King's Council advice about legal options to close the hotel and / or challenge the Home Office on placing children in the hotel
- on what date did BHCC instruct a KC with a view to taking action to challenge the Home Office on their policy of placing UASC in hotels in the city
- confirm any other key dates in relation BHCC accessing external / KC legal advice on this issue, and key dates when the KC was instructed and key dates when actions were taken."

Commissioner's Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Right of Appeal:

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

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

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**