

**FREEDOM OF INFORMATION ACT 2000 (SECTION 50)
ENVIRONMENTAL INFORMATION REGULATIONS 2004**

DECISION NOTICE

Dated 21st July 2005

Name of Public Authority: London Borough of Hounslow

Address of Public Authority: The Civic Centre
Lampton Road
Hounslow
TW3 4DN

Nature of Complaint

The Information Commissioner (the "Commissioner") has received a complaint which states that during a visit to Hounslow Civic Centre on 15 February 2005, the complainant asked to view the following information from the Planning Department of the London Borough of Hounslow (the "Council"):

"...the most recent planning applications for No. 476 & No.478 Chiswick High Road, London W4 5TT. The case file numbers are 00248/476/P3 and 00248/478/P4. These were provided to me... and after reading them I requested copies of various documents which included some correspondence, reports and A3 sized drawings amounting to 8 No. A3 photocopies, and 12 No.A4 photocopies."

The complainant was charged £188.00 for the above information. It is alleged that this charge is excessive.

The Commissioner's Decision

Under section 50(1) of the Act, (as amended by the Environmental Information Regulations 2004 (the Regulations)), except where a complainant has failed to exhaust a local complaints procedure, or where the complaint is frivolous or vexatious, subject to undue delay, or has been withdrawn, the Commissioner has a duty to consider whether the request for information has been dealt with in accordance with the requirements of Part 2 and 3 of the Regulations and to issue a Decision Notice to both the complainant and the public authority.

The information requested by the complainant is environmental information as defined in paragraph 2 of the Regulations and the Council has requested the following charges for providing copies: £18.00 per A3-sized plan; £16.00 per Decision Notice and £6.00 per letter.

The Commissioner's decision in this case is that the Council has complied with its obligations under Part 2 of the Regulations. The information requested

by the complainant is available for inspection at the Council's offices free of charge in accordance with paragraph 8(2)(b) of the Regulations. Paragraph 8(2)(b) provides that a charge must not be made for allowing an applicant "...to examine the information requested at the place which the public authority makes available for that examination".

The Council is satisfied that the charge made for the provision of copies of the information requested is a reasonable amount in accordance with Part 2 paragraph 8(3) of the Regulations. Paragraph 8(3) states that any charge made by a public authority to make environmental information available "shall not exceed an amount which the public authority is satisfied is a reasonable amount".

Action Required

In view of the matters referred to above the Commissioner requires no further action to be taken.

Right of Appeal

Either party has the right to appeal against this Decision Notice to the Information Tribunal (the "Tribunal"). Information about the appeals process can be obtained from:

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|-----------------------------|---|
| Information Tribunal | Tel: 0845 6000 877 |
| Arnhem House Support Centre | Fax: 0116 249 4253 |
| PO Box 6987 | Email: informationtribunal@dca.gsi.gov.uk |
| Leicester | |
| LE1 6ZX | |

Any Notice of Appeal should be served on the Tribunal within 28 days of the date on which this Decision Notice is served.

Dated the 21st day of July 2005

Signed:

Graham Smith
Deputy Information Commissioner

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF