

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 23 May 2013

Public Authority: East Devon District Council
Address: Council Offices
Knowle
Sidmouth
Devon
EX10 8HL

Decision (including any steps ordered)

1. The complainant has requested all communications since 1 January 2012 between East Devon County Council and Devon County Council officers or members in relation to parking restrictions and/ or parking enforcement.
2. The Commissioner's decision is that East Devon District Council (council) has breached section 10 of the FOIA in not responding to the request in the 20 working day timeframe. As the council has now responded to the request, the Commissioner does not require any steps to be taken.

Request and response

3. On 16 September 2012, the complainant wrote to the council and requested information in the following terms:

"Please provide copies of all communications since January 1st 2012 between officers or members at East Devon District council and officers at Devon County Council relating to parking restrictions and/or parking enforcement, please include any that relate to requests for information that have any reference to parking matters."

4. On 22 October 2012 the complainant requested an internal review as his information request had not received a response inside the 20 working day timeframe from receipt.

5. The council responded on 23 October 2012 to the information request.

Scope of the case

6. The complainant contacted the Commissioner 23 January 2013 to complain about the timeframe in which the information request was responded in.
7. As the complainant is not satisfied with the timeframe in which the council responded to the information request a decision notice has been requested.

Reasons for decision

8. Section 10 of FOIA states that an information request should be responded to within 20 working days following the receipt. In this case, a response was not given until the 25th working day following the initial request of the receipt. Therefore, the council breached section 10 of FOIA in relation to the complainant's request.

Right of appeal

9. 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: 0116 249 4253

Email: informationtribunal@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm

10. 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.
11. 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

Andrew White
Group Manager
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Wycliffe House
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Cheshire
SK9 5AF