

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 6 August 2012

**Public Authority:** Manchester City Council

**Address:** Town Hall  
Albert Square  
Manchester  
M60 2LA

### Decision (including any steps ordered)

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1. The complainant requested information from Manchester City Council ("the council"). The council has not responded to the request.
2. The Commissioner's decision is that the council has breached its obligation under section 10(1) of the Freedom of Information Act 2000 ("the FOIA") because it has failed to respond to the request.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
  - Respond to the request in accordance with the obligations under the FOIA.
4. The public authority must take these steps within 35 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 the Act and may be dealt with as a contempt of court.

### Request and response

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5. On 20 February 2012, the complainant requested information from the council in the following terms:

*"1. Please advise the names of all persons employed by The City Council who are active in the duties of the Traffic Penalty Tribunal and the duties of the PATROL organisation."*

*In each case please advise their title as an employee of the Council and also their title within the other organisations, if different.*

*2. Please advise whether or not the Legal Department of the Council has been involved in providing legal advice or other legal services to either of these two organisations and, if so, which organisation and the nature of any advice or other legal services that may have been provided.*

*3. Please also provide copies of all correspondence including emails, and copies of (or links to) Council Minutes to date in connection with the intention of the Council to terminate its activities as Lead Council in the PATROL organisation (or a committee of PATROL as the case may be)".*

6. Although the council acknowledged the request, it has not to date responded, despite having received further reminders from the complainant.

### **Scope of the case**

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7. The complainant contacted the Commissioner to complain about the council's failure to respond to the request.

### **Reasons for decision**

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8. Section 10(1) of the FOIA provides that when a public authority receives a request for information, it should respond to that request within 20 working days in accordance with its obligations under the FOIA.

## Right of appeal

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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](mailto:informationtribunal@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm](http://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**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**