

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 10 September 2019

Public Authority: Transport for London
Address: 55 Broadway
London
SW1H 0BD

Decision (including any steps ordered)

1. The complainant requested information from Transport for London about all charges levied against a specific vehicle registration number and which had been billed to a named individual.
2. The Commissioner's decision is that Transport for London failed to respond to the request within 20 working days and therefore breached Section 10 of the Freedom of Information Act ("the FOIA").
3. As a response has been issued, the Commissioner does not require Transport for London to take any further steps.

Request and response

4. On 15 March 2019, the complainant wrote to Transport for London and requested information in the following terms:

"I act on behalf of [redacted name] and have been forwarded a copy of my client's email sent at 10.24 today to you.

I also by this email, make a Freedom of Information Act (FOIA) request for you to produce copies of all records either held on paper or in electronic format which evidences all charges levied against vehicle registration number [redacted number] and which have been billed to my client. The information can be provided either in paper

or electronic format. I note you have claimed that you are not legally obliged to hold statements prior to September 2016. This is not accepted and I look to receive a response within 20 working days."

5. Transport for London provided a response on 12 August 2019.

Scope of the case

6. The complainant contacted the Commissioner on 15 July 2019 to complain about the way their request for information had been handled and they specifically requested a decision notice recording the late response provided by Transport for London.
7. This decision notice deals purely with the timeliness of the response to the request submitted to Transport for London on 15 March 2019.

Reasons for decision

8. Section 1(1) of the FOIA states that:

Any person making a request for information to a public authority is entitled –

(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and

(b) if that is the case, to have that information communicated to him.

9. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt."
10. From the evidence provided to the Commissioner in this case, it is clear that in failing to issue a response to the request within 20 working days, Transport for London has breached Section 10(1) of the FOIA.

Right of appeal

11. 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: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

12. 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.
13. 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

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