

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** **5 October 2023**

**Public Authority:** **London Borough of Redbridge**

**Address:** **Town Hall  
High Road  
Ilford  
Essex  
IG1 1DD**

#### **Decision (including any steps ordered)**

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1. The complainant requested information from the London Borough of Redbridge (the public authority). By the date of this notice the public authority had not issued a substantive response to this request.
2. The Commissioner's decision is that the public authority has breached section 10(1) of FOIA in that it failed to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner requires the public authority to take the following step to ensure compliance with the legislation.
  - The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.
4. The public authority must take this step 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 FOIA and may be dealt with as a contempt of court.

## Request and response

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5. On 21 April 2023, the complainant wrote to the public authority and requested information in the following terms regarding a specific location:

"I am very confused on why a selective license scheme exist for this area. I have looked at the Housing Act 2004, section 80; it clear states there are conditions for this to be granted. I have looked at the PDF document on your website named 'Public Notice Official Designation For Selective Licencing Schemes 1 and 2' and it does not state what the reasons were given for this scheme. Can you please specify what reason(s) was given for this scheme. Plus, how this was going to be monitored and the underlying facts underpinning your reasons over the years (i.e. the supporting evidence from the initial case to the years after)." (sic)

## Reasons for decision

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6. Section 1(1) of 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."

7. Section 10(1) of 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".
8. On 17 July 2023 the Commissioner wrote to the public authority, reminding it of its responsibilities and asking it to provide a substantive response to the complainant.
9. The public authority acknowledged the Commissioner's letter on 26 July 2023, explaining that they had not received the information request on 21 April 2023. The public authority affirmed that a substantive response would be provided to the requestor within 20 working days.
10. On 4 September 2023, the complainant wrote to the Commissioner stating that they had still not received a response to their information request.

11. The Commissioner again wrote to the public authority on 4 September 2023, asking them to provide a substantive response to the complainant's request within 10 working days.
12. Despite this secondary intervention from the Commissioner, the public authority has failed to respond to the complainant.
13. From the evidence provided to the Commissioner in this case, it is clear that the public authority did not deal with the request for information in accordance with FOIA. The Commissioner finds that the public authority has breached section 10(1) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with FOIA.

## Right of appeal

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14. 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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

15. 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.
16. 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 .....**

**Michael Lea**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**