

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 24 June 2024

**Public Authority:** Wirral Metropolitan Borough Council

**Address:** Town Hall  
Brighton Street  
Wallasey  
Merseyside  
CH44 8ED

#### **Request:**

Following on from Wirral Metropolitan Borough Council's response to a previous request about the new Council offices at Alice Ker Square, the complainant requested the following information on 19 March 2024:

"For question 1 I see you have no record of reporting any of the discharges even though they still continue today and will continue to do so until proper remedial action is taken.

For question 2 you say 'The building lights will not be left on when empty or overnight except for the reception and core areas.' But my question was not about your future objective, it was about has been happening repeatedly for months, both buildings fully lit all night when clearly empty. Please respond to my request about who will be paying for the electricity for this.

For question 3 you say this area is not a public highway. Is it not maintainable by public expense then?

For question 4 you refer to the existing CCTV code of practice and associated documents. I assume you mean the 2014 code you supplied on another FPI request but if not please let me know

<https://www.whatdotheyknow.com/request/c...>

Anyhow please provide the associated documents you refer to.

Also please provide all information and documents to demonstrate that in deploying these particular cameras the council has paid due regard to the POFA Surveillance Camera Code of Conduct 2021 and took into account the 12 guiding principles.”

**Commissioner’s Decision:**

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

**Steps:**

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 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.

**Right of Appeal:**

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)

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF**