

Freedom of Information Act 2000 (FOIA)
Decision notice

Date: 18 July 2024

Public Authority: Wirral Metropolitan Borough Council

Address: Town Hall
Brighton Street
Wallasey
Wirral
CH44 8ED

Request:

The complainant requested the following information from Wirral Metropolitan Borough Council on 2 March 2024:

“At the end of paragraph 5.3 the report says –

‘Independent valuation advice has indicated that the typical market rent for museum attractions is a peppercorn, so based on the restricted use, the proposed rent does meet the market rent and therefore would meet the requirements under Section 123.’

Please provide a copy of that independent valuation advice”

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

Website: 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**