



**First-tier Tribunal (General Regulatory Chamber)**

**Appeal Reference: EA.2016.0017**

**INFORMATION RIGHTS**

**Between**

**MR EDWARD BOWDITCH**

Appellant

**and**

**THE INFORMATION COMMISSIONER**

Respondent

**DECISION**

1. By consent, this decision notice replaces the one issued by the Information Commissioner on 7 January 2016 (reference FER0587062):
  - a. At the time of the Appellant's request dated 6 January 2015 Bristol City Council ("the Council") held a summary of the objections it had received to its Clifton Village Resident Parking Zone proposal. The summary was attached as Appendix 3 to the Council's decision report dated 16 July 2014 regarding the proposal. The original correspondence received by the Council from members of the public submitting their objections to the proposal was not contained in Appendix 3, although extracts from the correspondence were included in the summary.
  - b. The summary of objections was within the scope of the Appellant's request and, subject to the redaction of the personal data contained therein, should have been disclosed to the Appellant in response to his request.
  - c. The Council failed to make the information contained in the summary which was not personal data available within twenty working days of receiving the request in breach of regulation 5(2) of the Environmental Information Regulations 2004.
  - d. No further steps are required as the Council subsequently provided an appropriately redacted version of the summary of objections to the Appellant on 24 February 2016.

Signed: Peter Lane

Chamber President

Date:

13 April 2016

## ANNEX A

### Statement of Reasons for Consent Order

1. On 6 January 2015 the Appellant submitted a request to Bristol City Council ("the Council") for:

*"the Clifton Village [Resident Parking Zone] decision report...inclusive of all appendices, for both 16<sup>th</sup> July and the 18<sup>th</sup> September 2014"*

2. The Council responded on 27 February 2015 and provided the information held within the scope of the request with the exception of Appendix 3 ('the Appendix') to the 16 July 2014 decision report. In its response the Council stated that the Appendix contained the names and addresses of individuals and the objections which they had submitted regarding the proposed scheme. It relied on the exemptions at s.12 and s.40(2) of the Freedom of Information Act 2000 to withhold the Appendix.
3. On 24 June 2015 the Appellant complained to the Commissioner about the way his request for information had been handled.
4. During the Commissioner's investigation he was of the understanding that the Appendix only contained the objections in original form i.e. the original correspondence members of the public had submitted objecting to the proposed scheme. Accordingly the Commissioner's resulting Decision Notice only concerned the original correspondence.
5. However, in light of the Appellant's grounds of appeal the Commissioner contacted the Council to clarify whether the Appendix contained a summary of the objections. The Council confirmed that the Appendix in fact only contained a summary, in table form, of all of the objections which it had received including the names and addresses of the individuals submitting the objections. This had not been brought to the Commissioner's attention during his investigation and the Council's responses to his enquiries only referred to the original correspondence.
6. The Council considered the summary of objections and determined that it could be disclosed provided the names and addresses of the objectors, and any information which could identify them, was redacted.
7. The Council made suitable redactions to the summary and disclosed a copy of the redacted summary to the Appellant on 24 February 2016.