

FREEDOM OF INFORMATION ACT 2000 (SECTION 50)

DECISION NOTICE

Dated 12th September 2005

Name of Public Authority: Chief Constable of Greater Manchester Police

Address of Public Authority: Chester House
Boyer Street
Old Trafford
Manchester
M16 0RE

Nature of Complaint

The Information Commissioner (the "Commissioner") has received a complaint which states that on 6th January 2005 the Complainant requested information concerning marked police vehicles from Greater Manchester Police ("GMP") under section 1 of the Freedom of Information Act 2000 (the "Act").

It is alleged that GMP did not provide all the information requested within 20 days.

The Commissioner's Decision

Under section 50(1) of the Act, except where a complainant has failed to exhaust a local complaints procedure, or where the complaint is frivolous or vexatious, subject to undue delay, or has been withdrawn, the Commissioner has a duty to consider whether the request for information has been dealt with in accordance with the requirements of Part I of the Act and to issue a Decision Notice to both the complainant and the public authority.

Section 1(1) of the Act states –

"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"

Section 10(1) of the Act states –

“...a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.”

GMP wrote to the complainant on 20th January 2005 and 2nd February 2005 but in doing so did not provide all of the information requested by the complainant.

Upon receiving advice from the Information Commissioner’s Office, GMP wrote a further letter dated 10th May 2005 to the complainant providing him with the further information that had been requested.

The Commissioner’s decision in this case is that GMP has not dealt with the complainant’s request in accordance with the requirements of Part I of the Act in that it failed to comply with section 10(1).

Action Required

Since GMP has now responded to the complainant’s request for information, there are no remedial steps to be taken.

Right of Appeal

Either party has the right to appeal against this Decision Notice to the Information Tribunal (the “Tribunal”). Information about the appeals process can be obtained from:

Information Tribunal	Tel: 0845 6000 877
Arnhem House Support Centre	Fax: 0116 249 4253
PO Box 6987	Email: informationtribunal@dca.gsi.gov.uk
Leicester	
LE1 6ZX	

Any Notice of Appeal should be served on the Tribunal within 28 days of the date on which this Decision Notice is served.

Dated the 12th day of September 2005

Signed:

Graham Smith
Deputy Commissioner

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF