

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 5 October 2011

**Public Authority:** Stamford Town Council  
**Address:** Town Hall  
St Mary's Hill  
Stamford  
Lincolnshire  
PE9 2DR

#### Decision

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1. The complainant requested copies of agendas for meetings from Stamford Town Council ('the council').
2. The Commissioner's decision is that the council did not deal with the request in accordance with the Freedom of Information Act ('the Act'). The Commissioner considers that the council has breached section 10(1) of the Act by failing to disclose the requested information within 20 working days. He does not require the council to take any further action.

#### Request and response

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3. On 18 May 2011 the complainant wrote to the council as follows:  
"I refer to the Councils Publication Scheme (extract below) which states clearly that the Agendas for Meetings are available free on the Councils Website for the current and previous years as a minimum...I have only been able to locate two agendas on the Council's website ... Can you therefore please either direct me to the correct section of the website where I will find this information or alternatively supply me with a free electronic copy of all agendas for the Council and its committee meetings for the current and previous years".
4. The council responded on 23 May 2011 acknowledging that the agendas were not on the website but stating that this would "be addressed shortly". After the complainant reiterated her request on 11 June 2011,

the council responded on 13 June and stated that the agendas would be available on the website "in a day or so".

## Scope of the case

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5. The complainant contacted the Commissioner to complain about the way her request for information had been handled. The complainant has informed the Commissioner that she is now aware that agendas are available on the council's website. However, the complainant remains dissatisfied that the full 'agenda packs' are not available online.
6. The complainant has informed the Commissioner that the council has previously stated that full agenda packs are available for collection at the Town Hall, or will be sent via post. However, she remains dissatisfied that the council has not considered whether these documents should be disclosed to her electronically.
7. The Commissioner's view, however, is that the complainant's request of 18 May asks for "agendas for meetings". It does not specify that this should include "full agenda packs" which apparently contain a range of supporting documents. The Commissioner therefore will not investigate whether the council should have made these available to the complainant electronically.

## Reasons for decision

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8. Section 1(1) requires a public authority in receipt of a request to confirm whether it holds the requested information, and if so, disclose it to the applicant. Alternatively a public authority can issue a refusal notice compliant with section 17. In either case, a public authority should respond within 20 working days of receiving a request.
9. The complainant's request was submitted on 18 May 2011. The requested information is now available on the council's website. The exact date that the information was placed online is unclear, but the complainant has provided the Commissioner with evidence showing that the requested information was not available on the council's website on 4 July 2011. The Commissioner therefore concludes that the information was not made available within 20 working days. He consequently finds a breach of section 10(1) of the Act.

## Right of appeal

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10. 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: 0300 1234504

Fax: 0116 249 4253

Email: [informationtribunal@hmcts.gsi.gov.uk](mailto:informationtribunal@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm](http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm)

11. 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.
12. 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** .....

**Andrew White**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**