

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 24 June 2014

Public Authority: Norwich City Council
Address: City Hall
St. Peter's Street
Norwich NR2 1NH

Decision (including any steps ordered)

1. The complainant has requested information from Norwich City Council relevant to a Deed of Grant dated 18 September 2000 made between Eaton Golf Club (Norwich) Limited and the City Council of Norwich. The Deed is mentioned in Land Registry title number NK202654.
2. The Commissioner's decision is that Norwich City Council has breached section 10(1) of the FOIA in regards to this information request.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - Respond to the complainant's information request
4. The public authority must take these steps within 35 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 the Act and may be dealt with as a contempt of court.

Request and response

5. On 06/02/14, the complainant wrote to Norwich City Council and requested information in the following terms:

"Please send me a copy of the Deed of Grant dated 18 September 2000 made between (1) Eaton Golf Club (Norwich) Limited and (2) The City Council of Norwich, which is mentioned in Land Registry title number NK202654 (see attached)."

6. The public authority has not provided a response to this information request.

Scope of the case

7. The complainant contacted the Commissioner on 26 March 2014 to complain about the fact that Norwich City Council had not provided a response to his information request of 06 February 2014.
8. The information request was made by e-mail to the e-mail address published on the Norwich City Council website – foi-queries@norwich.gov.uk.
9. Norwich City Council, via their designated freedom of information e-mail address, acknowledged receipt of this information request.
10. The Commissioner considers that Norwich City Council has breached section 10(1) of the FOIA as it has failed to provide a response to this information request.

Reasons for decision

11. Section 10 of the FOIA states that an information request should be responded to promptly and in any event not later than the twentieth working day following the date of receipt. In this case Norwich City Council has failed to issue a substantive response to the complainant's information request and have therefore breached section 10 of the FOIA.

Right of appeal

12. 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: GRC@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

13. 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.
14. 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