

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 28 September 2017

Public Authority: Transport for London
Address: 42-50 Victoria Street
London
SW1H 0TL

Decision (including any steps ordered)

1. The complainant has requested information relating to suspension of Taxi and Private Hire Drivers licences. Transport for London (TfL) has failed to respond to this request within the statutory time for compliance.
2. The Commissioner considers that TfL breached section 10(1) FOIA in the handling of this request.
3. The Commissioner requires no steps to be taken.

Request and response

4. On 18 May 2017 the complainant made the following request to TfL:

"In the pass five years how many Taxi and Private Hire Drivers have had their licence suspended with immediate effect after being arrested and released without charge by the Police. Could you kindly break the figures down on a yearly bases and by driver type. How many were allowed back to work after a reconsideration hearing with TFL staff.

In the pass five years how many Taxi and Private Hire Drivers have had their licence suspended with immediate affect after being arrested and charge by the Police. Could you kindly break the figures down on a

yearly bases and by driver type. How many were allowed back to work after a reconsideration hearing with TfL staff.

Could you also explain how the decision is taken to suspend a licence Taxi or Private Hire Driver."

5. TfL responded to the request on 31 August 2017.

Scope of the case

6. The complainant contacted the Commissioner on 7 August 2017 to complain about the way his request for information had been handled.
7. The Commissioner has considered whether TfL dealt with this request in accordance with its obligations under section 10(1) FOIA.

Reasons for decision

8. Section 10(1) provides that:

"Subject to subsections (2) and (3), 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."

9. Section 1(1) provides that:

"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."*

10. The request was made on 18 May 2017 and the response was not provided until 31 August 2017. The Commissioner therefore finds that TfL breached section 10(1) in failing to respond within 20 working days.

Right of appeal

11. 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: 0870 739 5836

Email: GRC@hmcts.gsi.gov.uk

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

12. 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.
13. 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

Gemma Garvey
Senior Case Officer

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Wilmslow
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