

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 22 November 2022

Public Authority: Lancashire County Council
Address: County Hall
Fishergate
Preston
Lancashire
PR1 8XJ

Decision (including any steps ordered)

1. The complainant made a request for information.
2. The Commissioner's decision is that the above public authority ("the public authority") failed to respond to the request within 20 working days and has therefore breached section 10 of FOIA.
3. The Commissioner requires the public authority to take the following steps to ensure compliance with the legislation.
 - Issue a substantive response, under the FOIA, to the request it dealt with as reference 2918636.
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 FOIA and may be dealt with as a contempt of court.

Request and response

5. On 16 August 2022, the complainant contacted the public authority and made a request for information. The public authority acknowledged the request the following day and allocated it the reference number 2918636, but had failed to issue a substantive response to the request by the date of this notice.

Reasons for decision

6. The Commissioner notes that the public authority has already confirmed that it intended to deal with the request under FOIA. The public authority was therefore under an obligation to respond within 20 working days of receipt. Despite an intervention from the Commissioner, the public authority has failed to provide evidence to demonstrate that it has responded to the request.
7. As the public authority has failed to respond to the request it has breached section 10 of FOIA.

Right of appeal

8. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

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

9. 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.
10. 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

Roger Cawthorne
Senior Case Officer
Information Commissioner's Office
Wycliffe House
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Wilmslow
Cheshire
SK9 5AF