

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 27 April 2023

**Public Authority:** North Tyneside Council  
**Address:** Quadrant  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

#### **Decision (including any steps ordered)**

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1. The complainant requested information from North Tyneside Council ("the Council") relating to a traffic regulation order.
2. The Commissioner's decision is that the Council breached section 10(1) of FOIA by failing to provide a valid response to the request within the statutory time frame of 20 working days.
3. The Commissioner does not require the Council to take any steps.

#### **Request and response**

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4. The complainant made the following information request to the Council on 25 January 2023:

"I hereby request copies of any correspondence, minutes, notes, commentary, summary or other documentation pertaining to any general reviews or revisions of, or plans or actions to review or revise the BEN1 TRO.

I also request copies of any correspondence, minutes, notes, commentary, summary or other documentation pertaining to any reviews or revisions of, or plans or actions to review or revise the

BEN1 TRO specifically in regard to Belvedere Gardens and Norwood Court.”

5. The Council responded on 3 March 2023.

### **Reasons for decision**

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6. Section 1(1) of FOIA states 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.”

7. Section 10(1) of FOIA states that a public authority must respond to a request promptly and “not later than the twentieth working day following the date of receipt”.
8. From the evidence provided to the Commissioner in this case, it is clear that the Council did not deal with the request for information in accordance with FOIA. The Commissioner finds that the Council breached section 10(1) by failing to respond to the request within 20 working days.

## Right of appeal

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9. 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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

10. 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.
11. 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 .....**

**Christopher Williams**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**