

FREEDOM OF INFORMATION ACT 2000 (SECTION 50)

DECISION NOTICE

Dated 10 October 2005

Name of Public Authority: The London Borough of Camden

Address of Public Authority: Camden Town Hall
Judd Street
London
WC1H 9JE

Nature of Complaint

The Information Commissioner (the "Commissioner") has received a complaint which states that on 4 January 2005 the following information was requested from the London Borough of Camden ("Camden") under section 1 of the Freedom of Information Act 2000 (the "Act"):

A record of activity relating to a parking ticket and an explanation of what Camden inferred from it.

Camden wrote to the Complainant on 23 December 2004 confirming that it held a record of activity relating to a Parking Penalty Charge Notice. This prompted the Complainant to request this record and an explanation as to what Camden inferred from it. Mr John Sabin and Mr Carlos Dominguez of Camden wrote to the Complainant on 31 January and 1 February 2005 respectively, citing the request and providing some information in response. The Complainant received information from Camden as part of his Parking Notice Appeal on 23 March 2005, but there was no mention of this being in response to his request under the Act.

It is alleged that:-

Camden has not provided the Complainant with the requested information within the terms of the Act.

The Commissioner's Decision

Under section 50(1) of the Act, except where a complainant has failed to exhaust a local complaints procedure, or where the complaint is frivolous or vexatious, subject to undue delay, or has been withdrawn, the Commissioner is under a duty to consider whether the request for information has been dealt with in accordance with the requirements of Part I of the Act and to issue a Decision Notice to both the complainant and the public authority.

In a letter of 2 September 2005 to both the Complainant and the Commissioner, Camden confirmed that the 'record of activity' was the Parking Attendant's pocket book notes, which Camden provided to the Complainant on 23 March 2005. In a further letter of 23 September 2005 to the Commissioner, Camden confirmed that an explanation of what was inferred from the Parking Attendant's notes was covered in a letter from Tim Gunn of the Council of 20 January 2005.

The Commissioner's decision is as follows:

In failing to provide all the information requested until 23 March 2005, Camden Council has not complied with section 10(1) of the Act.

Section 10(1) of the Act states:

"... 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."

Section 1(1) of the Act states:

"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."

Action Required

In view of these matters the Commissioner hereby gives notice that in exercise of his powers under section 50 of the Act he does not require any remedial steps to be taken by Camden.

Right of Appeal

Either party has the right to appeal against this Decision Notice to the Information Tribunal (the "Tribunal"). Information about the appeals process can be obtained from:

Information Tribunal	Tel: 0845 6000 877
Arnhem House Support Centre	Fax: 0116 249 4253
PO Box 6987	Email: informationtribunal@dca.gsi.gov.uk
Leicester LE1 6ZX	

Any Notice of Appeal should be served on the Tribunal within 28 days of the date on which this Decision Notice is served.

Dated the 10th day of October 2005

Signed:

Graham Smith
Deputy Commissioner

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF