

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 26 September 2012

**Public Authority:** Sheffield City Council

**Address:** Town Hall  
Pinstone Street  
Sheffield  
S1 2HH

#### Decision (including any steps ordered)

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1. The complainant has requested information relating to funding for energy saving schemes.
2. The Commissioner's decision is that Sheffield City Council (the "council") has breached section 10(1) of FOIA by failing to disclose the requested information within 20 working days.
3. The Commissioner does not require any steps to be taken.

#### Request and response

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4. On 14 December 2011, the complainant wrote to the council and requested information in the following terms:

*"CESP funding is given for a specific area and the properties identified within a distinct location. It is available for all properties within that area. Those are the rules.*

*Why are you inferring you are thinking of re-directing this funding to other parts of the Council?*

*Lansdowne and Hanover were being looked at as a Solar City pilot project. Did the Council send paperwork in time to access the 43p etc FITS?*

*If not what was the reason for missing this opportunity? You had sufficient time to do this.*

*Who did you unsuccessfully bid with for ERDF funding?  
In what organisations name was this European funding bid made and  
on what date?*

*How much grant money has the Council accessed for the  
Lansdowne/Hanover cladding project to date?"*

5. Having not received a response, on 19 January 2012 the complainant asked the council to review its handling of the request.
6. The council responded on 24 January 2012 and provided the requested information.
7. Following an internal review, the council wrote to the complainant on 15 February 2012 and apologised for the delay in responding to the request. The council explained that the request had been overlooked during the Christmas period and gave assurances that the service area dealing with the request had been reminded of its obligations in this regard.

### **Scope of the case**

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8. The complainant contacted the Commissioner to complain about the way their request for information had been handled.
9. The complainant asked the Commissioner to issue a decision notice in relation to the delay involved in the handling of their request.

### **Reasons for decision**

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10. Section 10(1) of FOIA states that a public authority must comply with section 1(1) within 20 working days.
11. In this case, the council's substantive response was not provided within 20 working days.
12. The Commissioner finds that the council has, therefore, failed to comply with the requirements of section 10(1).

## Right of appeal

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13. 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: [informationtribunal@hmcts.gsi.gov.uk](mailto:informationtribunal@hmcts.gsi.gov.uk)

Website: [www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm](http://www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm)

14. 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.
15. 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**