The Environmental Information Regulations 2004 (EIR)

Decision notice

Date: **19 May 2021**

Public Authority: **South Gloucestershire Council**
Address: **PO Box 1953, Bristol**
BS37 0DB
(email: foi@southglos.gov.uk)

Decision (including any steps ordered)

1. The complainant asked South Gloucestershire Council to provide him with all the information it held about a property he owned especially information regarding rights of way across a section of common land.

2. South Gloucestershire Council provided a considerable volume of information in response to this request and other related freedom of information and subject access requests.

3. The Commissioner decided that the relevant information is environmental information within the meaning of regulation 2(1)(c) of the EIR. She also decided that South Gloucestershire Council could rely on the EIR regulation 12(5)(b) (Course of justice) exception as a basis for withholding some information.

4. South Gloucestershire Council did, however, breach regulation 5(1) (duty to disclose) and regulation 14(2) (time taken to disclose) as it did not respond substantively within 20 working days of receiving the request.

5. The Commissioner decided that South Gloucestershire Council had partially complied with the EIR in disclosing all the relevant information it now holds except for a small amount of legal correspondence still being withheld.

6. The Commissioner did not require South Gloucestershire Council to take any steps.

Request and response

7. On 14 December 2018, the complainant requested information from South Gloucestershire Council (SGC) saying:

   Notwithstanding the ongoing dispute(s), please accept this as a formal request for all documents your council hold for the property known as [address redacted and which he owned].

8. The complainant told SGC that, without more information from SGC, especially information about access rights to his property ("the property") across a section of common land, he was unable to develop the property as he wished. SGC initially regarded this as a Subject Access Request (SAR) and initially overlooked the freedom of access to other information component of the request which is the subject of this notice.

9. Progress in the freedom of information matter has been delayed due to: the complainant's personal circumstances, developments in other connected matters and restrictions on SGC's ability to access its offices during the Covid-19 pandemic.

10. In a letter dated 15 January 2019 SGC told the complainant:

    As noted in both [SGC officer name redacted] and [SGC officer name redacted] emails dated 20 December 2018, the Council is providing documents held for [the property] (with names redacted as necessary) in accordance with the provisions of the Freedom of Information Act. You have noted in your email of 2 January 2019 electronic copies of the information are required, please find attached."

11. Meanwhile, on 14 January 2020 the complainant told SGC its responses to him had been incomplete and asked SGC to reconsider its response to his 14 December 2018 information request. SGC did not reconsider this request although the complainant mistook a 22 April 2020 SGC response for the reconsideration he had asked for.

12. On 22 April 2020 SGC said it was unable to locate some of the requested documentation. SGC recognised that some further relevant information had once been held but said it was no longer held.

Scope of the case

13. The complainant contacted the Commissioner on 26 June 2020 to complain about the way his request for information had been handled.

He said that there had been multiple and ongoing breaches of the EIR by SGC, and also breaches of data protection legislation. He added that he had at times found the matter to be overwhelming. This had made the matter challenging for him to progress and to explain clearly to SGC officers and others.

14. The complainant told the Commissioner that SGC had erroneously charged him a fee of £51,000, which it later withdrew, to allow him certain access rights to the property over common land. It had later become clear that, unbeknown to both parties at the outset, SGC held relevant information. He said that SGC therefore knew all along, or should have known, that he already held the relevant access rights and that no fee had ever been due.

15. On 11 November 2020 the Commissioner began her investigation of his complaint arising from his 14 December 2018 information request and which is the subject of this notice.

16. Since the complainant is the current owner of the property much of the information requested is his personal data, requests for which have been progressed by SGC and in some cases the Commissioner in the context of earlier Subject Access Requests (SARs). SGC had considered the freedom of information aspects as a FOIA matter. However, during the scope of the Commissioner's investigation, she took the view that the information was environmental in nature and invited SGC to reconsider the request under EIR.

17. This investigation and notice determines the Commissioner's investigation of the EIR aspects of the matter, including information withheld by SGC.

18. The complainant questioned whether SGC had destroyed a paper file after he had made his information request and which he says SGC should have retained and used to answer his concerns. The Commissioner investigated the complainant's concerns about the apparent destruction of relevant documents and information.

19. In summary, SGC initially told the Commissioner that it was only withholding a small amount of information relying on the section 42(1) FOIA exemption, now the EIR regulation 12(5)(b) exception. A small amount of personal information was withheld relying on the section 40(2) FOIA exemption, now the EIR regulation 13(1) exception, but that is not in dispute.

20. The Commissioner considered what information is held by SGC, including the scope and scale of SGC searches of its records. She also

considered SGC's reliance on the EIR regulation 12(5)(b) exception to withhold information.

Reasons for decision

Is the requested information environmental information?

21. SGC had regarded the matter as a FOIA request and had considered the application of FOIA exemptions. In determining the appropriate legislation, the Commissioner had regard for her own guidance. [1]

Regulation 2(1) of the EIR provides the following definition of environmental information:

"…any information in written, visual, aural, electronic or any other material form on-

(a) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;

(b) factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in (a);

(c) measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in (a) and (b) as well as measures or activities designed to protect those elements;

(d) reports on the implementation of environmental legislation;

(e) cost-benefit and other economic analyses and assumptions used within the framework of the measures and activities referred to in (c); and

[1] https://ico.org.uk/media/fororganisations/documents/1146/eir_what_is_environmental_information.pdf

(f) the state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are or may be affected by the state of the elements of the environment referred to in (a) or, through those elements, by any of the matters referred to in (b) and (c).”

22. In the circumstances of this case, the information is on a measure likely to affect the state of the elements of the environment described above. Decisions regarding rights of way for pedestrians and vehicles must affect the relevant land which they cross. The Commissioner therefore decided that the withheld information is environmental information and subject to the EIR; she considered the application of the EIR regulation 12(5)(b) exception.

23. SGC acknowledged that it had failed to disclose information it held at or around the time of the information request. SGC was therefore in breach of EIR regulations 5(1) and 5(2). SGC said that it had now disclosed all the relevant information it held (apart from that being knowingly withheld). The complainant disputes this. SGC acknowledges that there appear to be gaps in some of the information it holds, including information which the complainant wants to see, gaps which it cannot now explain or remedy.

24. In scenarios where there is dispute between a public authority and a complainant about the amount of information that is held, following the lead of a number of First-tier Tribunal (Information Rights) decisions, the Commissioner applies the civil standard of the balance of probabilities. That is, the Commissioner is not expected to prove categorically whether or not information is held; she is only required to make a judgement on the balance of probabilities.

25. The complainant told the Commissioner that SGC had destroyed an important file during the course of the Local Government and Social Care Ombudsman (“the Ombudsman”) and ICO/FOIA investigations. By way of evidence, he referred to an internal SGC email of 31 January 2020 which said:

“… I have been through the old paper file we still hold, I have identified 2 drafts. … The file we hold was, in accordance with the Council Destruction and Retention policy due to be destroyed in December 2018. This post-dates the response to the original FOI. … The electronic file was destroyed at that time and the paper file held by records was due for destruction, but it seems that prior to the actual destruction [SGC officer name redacted] requested the paper file. …”

26. The complainant requested, inter alia, information comprising SGC's correspondence with the previous owner of the property dating back to 2006 and earlier. SGC acknowledged that it was likely that some further relevant information had once been held, but said it was no longer held.

27. In an email of 5 December 2019 the complainant listed in detail, in the form of seven bullet points ("the bullet points"), documentation which he believed that SGC held. He said that he had requested the documents repeatedly but each time SGC had denied holding them or refused disclosure.

28. On 14 January 2020 the complainant asked SGC to reconsider its responses to his 14 December 2018 information request. However, SGC did not carry out a reconsideration.

29. The complainant interpreted an SGC email of 22 April 2020 as a response to his 14 January 2020 request for a reconsideration, something which SGC later denied. The SGC 22 April 2020 email invited the complainant to make further representations which he did not do (he had already asked for a reconsideration on 14 January 2020). The Commissioner accepted that SGC's 22 April 2020 email did not report the outcome of a reconsideration but was a response to a later request.

30. On 22 April 2020 SGC told the complainant that: for bullet points two, five and seven, it held some information which it disclosed; for bullet points one, three and four information was not held; and, for bullet point six, SGC said it was unable to respond immediately but promised a response would follow as soon as possible.

31. Following her investigation, the Commissioner found that the email of 22 April 2020 appeared to be an accurate portrayal of SGC's position regarding the information it held in respect of each bullet point.

32. The complainant told SGC that the documents listed in bullet point six, (regarding his access rights to a second pedestrian track), were of particular importance to him but were still being withheld. On 24 June 2020, following a two month delay, the complainant asked SGC about its progress in locating the documents. On 25 June 2020 SGC replied that it believed it did not hold any further relevant information.

33. On 24 December 2020 SGC confirmed to the Commissioner that the bullet point six information was not held. SGC later added that the complainant had been provided with copies of the draft agreements that had been prepared by the Council and commented on by the solicitors acting for the previous owner during the sale process in 2006.

34. SGC said that, following completion of the sale, the complainant raised a number of issues and, as a result of his personal research, was

ultimately able to provide SGC with a copy of a statutory declaration by a previous owner of the property dated 1987. This confirmed the existence of prescriptive rights already enjoyed by the property, relating to pedestrian and vehicular access but which SGC had denied him.

35. SGC said it had not been aware of the existence of those prescriptive rights, although it could and should have known about them from information stored within its own records. By way of explanation, SGC told the Commissioner that the 1987 statutory declaration had not been registered with HM Land Registry nor, SGC believed, had it been relied on by the previous owner of the property. Confronted with proof of the complainant's existing prescriptive rights, SGC withdrew the £51,000 charge it had been proposing to make to secure the complainant's relevant rights of access to his property.

36. With regard to the information it held, SGC told the Commissioner that it had asked all of its service areas that had been in contact with the complainant to undertake a thorough and complete search of their systems, shared drives, mailboxes (both individual and team) and other sources of customer data and records for information relating to the complainant and compile a response for disclosure. This exercise had resulted in an extensive volume of information, totalling in excess of 10,000 pages which had then been disclosed to him in both hard copy and electronic form. SGC said its officers had attended SGC's offices when local lockdowns permitted to complete searches of systems and files, to arrange for documents to be printed and for hard copy documents to be converted into electronic form in order to respond to the complaint.

37. The Commissioner decided that SGC's initial failure to disclose the information it held, and later overlooking of the contents of that information, had amounted to a breach of EIR regulation 5(1) (Duty to make available environmental information on request).

38. During the Commissioner's investigation, SGC confirmed to her that its officers had undertaken extensive searches in an attempt to locate the remaining information requested. SGC said, and the Commissioner agreed, that the complainant had been provided with very full responses to his requests but SGC acknowledged that there appeared to be gaps in its records that it said it could not now explain.

39. The complainant remained concerned that SGC might have destroyed some relevant records. SGC told the Commissioner that its relevant paper file had originally been sent to SGC's Records team for archiving in November 2006, with a planned destruction date of November 2018. This (paper) file had been securely stored and issued on temporary loan to SGC Legal Services in August 2017 before being returned to SGC

Records in May 2018 with a revised, later, date for destruction. It had then been passed to SGC Legal Services from SGC Records on non-returnable loan in January 2019 and was still held by SGC Legal Services.

40. There had also been an electronic file which, unlike the paper file, only contained internal correspondence and was therefore far from complete. The electronic file had been destroyed in November 2018 and before the 14 December 2018 information request was made. The Commissioner found that, as the electronic file had been incomplete (unlike the paper file), its deletion had probably not made any material difference.

41. If information is held when a request is received, a public authority may lawfully be able to say that it does not hold it if it would normally be destroyed before the deadline for responding. However the authority should if possible, and as a matter of good practice, suspend any planned destruction and consider the request, which SGC did.

42. The Commissioner received assurance from SGC that searches for any additional records by its relevant departments, including electronic searches, had been completed.

43. SGC confirmed to the Commissioner that all of the information in the relevant paper records that it held (and had held at the date of the information request in December 2018) had now been declared to her and to the complainant. In the light of SGC's assurances, supported by her own observations from her investigation, the Commissioner decided on a balance of probabilities, that SGC does not hold any further, as yet undeclared, information and that SGC has now complied with EIR regulation 5(1) albeit after delays that breached EIR regulations 5(2) and 14(2).

EIR regulation 12(5)(b)

44. EIR regulation 12(5) says that: *"For the purposes of paragraph 1(a), a public authority may refuse to disclose information to the extent that its disclosure would adversely affect-*

……..
(b) the course of justice, the ability of a person to receive a fair trial or the ability of a public authority to conduct an inquiry of a criminal or disciplinary nature;
……..″

45. The Commissioner considers that the course of justice element of the exception is wide in coverage and can include information about civil investigations and proceedings.

46. Successful application of the exception is dependent on a public authority being able to demonstrate that the following three conditions are met:
    - the withheld information relates to one or more of the factors described in the exception,
    - disclosure would have an adverse effect on one or more of the factors cited, and
    - the public interest in maintaining the exception outweighs the public interest in disclosure.

47. The Commissioner's guidance on the application of regulation 12(5)(b) confirms that the exception will be likely to be engaged if the information in question is protected by legal professional privilege (LPP). This is due to the adverse effect on the course of justice that would result through the disclosure of, otherwise confidential, information covered by LPP.

48. LPP is intended to protect the confidentiality of communications between a lawyer and their client. In the case of *Bellamy v the Information Commissioner and the DTI (EA/2005/0023)* ("*Bellamy*") the then Information Tribunal described LPP as:

    "…a set of rules or principles which are designed to protect the confidentiality of legal or legally related communications and exchanges between the client and his, her or its lawyers related communications and exchanges which contain or refer to legal advice which might be imparted to the client, and even exchanges between the clients and [third] parties if such communication or exchanges come into being for the purpose of preparing for litigation…".

49. For the purposes of the LPP EIR exception, a professional legal advisor can be a solicitor, barrister, licensed conveyancer or a professionally qualified legal executive. The legal advisor can be either an externally contracted lawyer or a lawyer employed by the public authority itself. This was confirmed in the former Information Tribunal's ruling in *Calland v Information Commissioner and FSA (EA/2007/0136; 8 August 2008).*

50. There are two types of privilege – litigation privilege and legal advice privilege. Litigation privilege is available in connection with confidential communications made for the purpose of providing or obtaining legal advice in relation to proposed or contemplated litigation. Advice privilege will apply where litigation is not in progress or contemplated; communications with third parties are not covered by advice privilege and are only covered by litigation privilege if they have been made for the purposes of litigation. In both these cases, the communications must be confidential, made between a client and professional legal advisor

acting in their professional capacity, and made for the sole or dominant purpose of obtaining legal advice.

51. SGC relied on LPP to withhold information comprising correspondence between SGC Legal Services and SGC colleagues on legal matters, also a report to its chief executive ("the internal information"). SGC also withheld correspondence with a third party and that party's solicitors ("the third party information"). The Commissioner noted that the relevant SGC Legal Services officers were legally qualified and acting in a professional capacity.

52. SGC told the Commissioner that it relied on advice privilege to withhold all of the withheld information, both internal and third party. The Commissioner has reviewed all of the withheld information during her investigation.

The internal information

53. For the internal information, SGC said that the dominant purpose of the internal communications between the SGC legal and other officers was to ask for, and obtain advice about, the terms of the deeds of easements relating to the property. In the light of her investigation, the Commissioner accepted that was the position and decided that the advice privilege arm of the LPP exception was engaged.

EIR regulation 12(5)(b)

54. EIR regulation 12(1)(b) requires that, where the exception under regulation 12(5)(b) is engaged, a public interest test should be carried out to ascertain whether the public interest in maintaining the exception outweighs the public interest in disclosing the information. In carrying out her assessment of the public interest test, the Commissioner recognised the provisions of EIR regulation 12(2) which states that a public authority shall apply a presumption in favour of disclosure.

Public interest arguments in favour of disclosing the internal information

55. EIR regulation 12(2) applies a presumption in favour of disclosing environmental information.

56. The complainant said that he needed further information from SGC to assist him in progressing another matter. The Commissioner has seen this other matter as a private matter. She noted that the principal countervailing interest is the private interest of one individual rather than of larger numbers of members of the public.

57. The complainant also said that he was concerned that SGC had charged him some £51,000 to purchase access rights to the property, rights

which he already possessed, something he did not know but SGC knew, or should have known, from its records. These were records that SGC had refused to disclose to him but had not researched itself. He was concerned that it had taken the intervention of the Ombudsman to require SGC to disclose relevant records to him. Meantime, SGC had declared him to be an unreasonably persistent complainant and had severely restricted his ability to communicate with SGC officers.

58. SGC told the Commissioner that the factors in favour of disclosure were that the information would have confirmed the basis of the negotiations, drafting and correspondence between SGC and a third party and relating to another third party who then owned the property. Disclosure would also enable the complainant to see that the basis of the negotiations and that the contemporary documents had been consistent with the negotiations and draft documents that were commenced via the complainant's solicitor when he became the prospective purchaser.

59. SGC said that the complainant had been provided with copies of the draft agreements that were prepared by the Council and commented on by the solicitors acting for the previous owner. Following completion of the sale to the complainant, his solicitor had then been provided with draft agreements and had sought further amendments and additional grants of easements on his behalf.

Public interest in favour of maintaining the exemption

60. SGC told the Commissioner that factors in favour of maintaining the exemption were the established case law that a presumption against the disclosure of information covered by LPP will only be rebutted by a very strong public interest argument in support of disclosure. The weight to be attached to the importance of maintaining LPP is therefore high.

61. SGC said that the willingness of its officers to engage with its advisers in an open and frank way would be impacted if officers considered that advice they gave in respect of third party transactions would later be made freely available, the so-called 'chilling effect'. SGC said its legal officers needed a safe space in which to provide free and frank advice to SGC colleagues. Disclosure of the advice now could set a precedent and seriously undermine the trust and confidence of SGC officers in each other.

62. SGC added that, given the continuing discussions and negotiations with the complainant at that time, there was a risk that disclosure would have re-opened issues that SGC had spent some two years seeking to resolve. While disclosure might be in the private interest of the complainant, SGC saw little or no public interest. SGC had concluded

that on balance there was little public interest in disclosing information relating to advice about third party negotiations.

Balance of the public interest test arguments

63. The Commissioner considered the representations of the parties in determining the balance of the public interest. She recognised that the public interest in maintaining the LPP exemption will always be strong due to the importance of the principle behind LPP that a client should have access to full and frank legal advice, which was fundamental to the administration of justice. She recalled that in *Bellamy* the then Tribunal had described LPP as a "*fundamental condition on which the administration of justice as a whole rests*."

64. In weighing the balance of the public interest, the Commissioner recognised the significant general public interest in transparency by public authorities and demonstrating accountability for their actions.

65. The Commissioner recognised the strong public interest in maintaining LPP but also that the course of justice exception at regulation 12(5)(b) is subject to a public interest test and that, under the EIR, there is a presumption in favour of disclosure. However this is a qualified not absolute exception. For disclosure to be justified, there must be clear, compelling and specific justification that outweighs the weight of the public interest in protecting the disputed information. Strong countervailing arguments must exist to overturn that interest and the Commissioner has seen none. In this matter the principal countervailing interest is the private interest of one individual rather than the interests of larger numbers of members of the public.

66. Having considered the relevant public interest factors both in favour of disclosure and maintaining the exception, the Commissioner considered the weight of public interest favoured maintaining the exception. She therefore decided that SGC had complied with the EIR regulation 12(5)(b) exception in respect of the internal information.

The third party information

67. For the third party information, correspondence between lawyers, SGC said that the withheld information was confidential to SGC and the third parties. There had been no expectation between the parties that their professional communications would ever be put into the public domain. As the information had never been released by SGC or the third parties SGC said, and the Commissioner found, that LPP had not been waived.

68. SGC said that the LPP claimed for the third party information relied on advice privilege. LPP protects confidential communications between lawyers and clients and is a fundamental principle of English law. Here

lawyers for SGC were acting with SGC officers who were their clients. However they were corresponding with third party solicitors who were not their clients and so SGC cannot rely on advice privilege to withhold the relevant correspondence. At that time the complainant had not been the owner of the property (nor was he then a prospective purchaser). SGC had been negotiating with the previous owner and her agents.

69. The Commissioner considers that communications with third parties are not covered by LPP advice privilege and are only covered by litigation privilege if they have been made for the purposes of litigation. In this case, SGC has not argued that litigation privilege applies. However the EIR regulation 12(5)(b) exception is broader than the corresponding section 42 FOIA provisions as it encompasses information whose disclosure would adversely affect the course of justice more widely. The Commissioner considered that disclosure at a later date of correspondence between solicitors was something none of the solicitors were reasonably expecting at the time of their correspondence. Disclosure now would therefore be perceived by other professionals as a breach of trust. This would have a chilling effect and inhibit other solicitors corresponding with lawyers acting for SGC now or in the future from discussing matters as freely or frankly as they might wish; this would adversely affect the course of justice. She therefore decided that the EIR regulation 12(5)(b) was engaged.

Public interest arguments in favour of disclosure

70. EIR regulation 12(2) applies a presumption in favour of disclosing environmental information. In addition is the need for public authorities to be open and transparent in engaging with members of the public.

71. The complainant said that he needed this further information from SGC to assist him in progressing another matter, as detailed in paragraph 56 above.

Public interest in favour of maintaining the exception

72. SGC told the Commissioner that a factor in favour of maintaining the exception was the established case law that a presumption against the disclosure of information covered by LPP will only be rebutted by a very strong public interest argument in support of disclosure. The weight to be attached to the importance of maintaining LPP is therefore high.

73. SGC said that it could not reasonably now approach third party legal professionals and seek their consent to disclosure now of past correspondence with SGC, some of which was 15 or more years old.

74. The Commissioner has seen that disclosure now of past correspondence with third party lawyers, information that they believed at the time

would be held in confidence, would inhibit legal professionals for other parties from engaging freely and frankly with legal professionals acting for SGC. That reluctance would inhibit them in engaging with SGC and adversely affect the quality of the legal advice that SGC received from its lawyers who would not always be fully informed.

Balance of the public interest test arguments

75. In determining the balance of the public interest the Commissioner must apply the EIR regulation 12(2) presumption in favour of disclosure which she has done. She has also considered the representations of the parties and the content of the disputed information.

76. The complainant wished to receive the information to assist him in progressing another matter.

77. While the Commissioner did not accept SGC's view that the third party correspondence necessarily attracts LPP, she did recognise the strong public interest in SGC lawyers retaining the confidence of their peers. She recognised too the importance of the principle behind LPP that a client should have access to full and frank legal advice as fundamental to the administration of justice. Were other legal professionals to lose confidence in the future conduct of SGC's lawyers through surprise disclosures now of information they had regarded as having been confidential, the quality of legal advice that SGC receives, both now and in the future, would be adversely affected. This would adversely affect the course of justice generally as well as adversely affecting the interests of SGC and the public it serves. She therefore decided that the balance of the public interest favoured maintaining the exception.

Other matters

78. Although not part of her decision the Commissioner noted the following further matters of relevance.

79. The Commissioner has been made aware of communications restrictions SGC placed on the complainant. These and other connected administrative matters were the subject of two investigations by the Ombudsman who found maladministration for which SGC has already compensated the complainant.

80. The complainant drew the Commissioner's attention to the Ombudsman's report of 9 January 2019 into his concerns about the administration of connected matters. The Ombudsman's report said:

"23. [the complainant] spent much time in trying to provide a basis for arguing the Council should reduce the asking price for a new deed. He did not know about the Ms X easement until September 2017 when he received documents from the Council. At the time of the 2015/16 negotiations he was trying to establish how the Council had dealt with similar applications and the history of his property. As part of this he made a number of freedom of information requests. One on 6 April 2016 asked for full details of any grant of right of access (including the permission worded in different terms) over the common land to his property. In its response the Council did not refer to the Ms X easement, only to the earlier licence agreements.

24. Failure to disclose information following a FOI request is a matter for the Information Commissioner. The Council has not provided any comment on why it did not disclose this information in response to [the complainant's] request."

81. For the avoidance of doubt, the Commissioner makes clear that this notice addresses the freedom of information concerns noted by the Ombudsman.

Right of appeal

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

83. 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.

84. 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 .....

Dr R Wernham
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