

Freedom of Information Act 2000 (Section 51)

Information notice

Date: 9 April 2024

Public Authority: Chard Town Council
Address: The Guildhall
Fore Street
Chard
Somerset
TA20 1PP

Section 51

Under section 51 of the Freedom of Information Act 2000 (FOIA), which is set out below, the Information Commissioner (the Commissioner) has the power to serve a notice on a public authority requiring it to furnish him with any information he requires to enforce the requirements of FOIA.

51. – (1) If the Commissioner –

(a) has received an application under section 50, ...

he may serve the authority with a notice (in FOIA referred to as “an information notice”) requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

Application under section 50

1. The Commissioner has received an application under section 50, reference IC-276502-H9V8, for a decision whether a request for information made by the complainant to Chard Town Council on 21 July 2023, has been dealt with in accordance with the requirements of Part I of FOIA.

Nature of complaint

2. The complainant is not satisfied with the council's refusal to provide the information which they requested.
3. Following receipt of the complaint from the complainant, the Commissioner wrote to the council on 7 March 2024.
4. The Commissioner requested that the council respond to a number of questions, and to provide its reasons for refusing to provide the information to the complainant in response to his request for information by 21 March 2024.
5. The council did not respond to the Commissioner's letter.
6. On 25 March 2024, the Commissioner sent a further email to the council stating that he had not received any response from the council. He therefore asked the council to provide its full response by 2 April 2024.
7. Again, the council did not respond to the Commissioner's email.
8. The council has therefore not provided the Commissioner with the information requested of it.

Information required

9. In view of the matters described above the Commissioner hereby gives notice that in the exercise of his powers under section 51 of FOIA he requires that Chard Town Council shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:
10. A full response to the questions raised in the Commissioners letter dated 7 March 2024, a copy of which is attached with this notice.

Failure to comply

11. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of FOIA, and may be dealt with as a contempt of court.

Right of appeal

12. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can 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

13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

Signed by

Ian Walley
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF