Reference: IC-306146-J7Z5



# Freedom of Information Act 2000 (Section 51) Information notice

Date: 20 September 2024

**Public Authority:** London Borough of Lambeth

Address: Lambeth Town Hall

**Brixton Hill** 

London SW2 1RW

#### 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-306146-J7Z5], for a decision whether a request for information made by the complainant to the council on 11 September 2023 has been dealt with in accordance with the requirements of Part I of FOIA.

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### **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 20 August 2024. He asked it to respond to a number of questions regarding its response to the complainant's request. The Commissioner asked the council to provide its full and final response to his questions by 4 September 2024.
- 4. The council responded on 21 August 2024. It said that it had now provided a new response to the complainant. However, the council's new response also said that no further information was held by it.
- 5. The Commissioner therefore wrote again to the council on 21 August 2024 stating that he still required a response to the questions he had asked in his letter dated 21 August 2024 by 4 September 2024. The council did not respond.
- 6. The Commissioner therefore wrote again to the council on 6 September 2024 asking it to provide its full and final response to his questions by 13 September 2024.
- 7. As of the date of this Information Notice, the Commissioner has not received the council's response to the questions he asked in his email to it dated 21 August 2024.

#### **Information required**

- 8. 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 the council shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:
  - A full and final responses to the questions which the Commissioner asked of the council in his letter dated 21 August 2024.

#### Failure to comply

9. 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.

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#### Right of appeal

10. 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: <a href="mailto:grc@Justice.gov.uk">grc@Justice.gov.uk</a>

Website: <a href="https://www.justice.gov.uk/tribunals/general-regulatory-">www.justice.gov.uk/tribunals/general-regulatory-</a>

<u>chamber</u>

11. 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