

10 December 2025

**Ref: IC-349584-N0G1**

## **Request**

You asked us:

"On 14 March 2024, the Information Commissioner's Office (ICO) sent an enforcement notice to Bristol City Council (BCC):

I would like to know if any appeal was lodged by BCC within the 28 day period as set out in the enforcement letter at paragraph 22.

If an appeal has been lodged, I request the 'statements of case' for both BCC and for the ICO.

If the appeal has been dismissed, withdrawn or otherwise settled, I request a copy of that dismissal, withdrawal or other settlement."

We received your request on 10 December.

We have handled your request under the Freedom of Information Act 2000 (the FOIA).

## **Our response**

We do hold information within the scope of your request. Bristol City Council have lodged an appeal against the enforcement notice with the First-Tier Tribunal.

We hold copies of Bristol City Council's statement of case and the ICO's response. The appeal is yet to be concluded.

We are withholding the appeal documents mentioned above as they are subject to the exemption at 32(1)(a) of the FOIA.

Section 32(1) of the FOIA states:

32(1) Information held by a public authority is exempt information if it is held only by virtue of being contained in –

- (a) any document filed with, or otherwise placed in the custody of, a court for the purposes of proceedings in a particular cause or matter,

Section 32 is a 'class' based exemption and is 'absolute', which means that if the nature, or class, of the information held falls within the scope of the exemption it need not be provided in response to a request under the FOIA.

The rationale for this exemption being absolute is that courts and tribunals regulate access to information generated in the course of proceedings, and disclosure of such information should usually be dealt with outside of the FOIA. Given that the appeal is not yet concluded, it would not be appropriate to disclose the appeal documents into the public domain at this time.

### **Next steps**

You can ask us to review our response. Please let us know in writing if you want us to carry out a review. Please do so within 40 working days.

You can read a copy of our full [review procedure](#) on our website.

If we perform a review but you are still dissatisfied, you can complain to the ICO as regulator of the FOIA. This complaint will be handled just like a complaint made to the ICO about any other public authority.

You can [raise a complaint](#) through our website.

### **Your information**

Our [privacy notice](#) explains what we do with the personal data you provide to us, and sets out [your rights](#). Our [Retention and Disposal Policy](#) details how long we keep information.

Yours sincerely



Information Access Team  
Strategic Planning and Transformation  
Information Commissioner's Office, Wycliffe House, Water  
Lane, Wilmslow, Cheshire SK9 5AF  
[ico.org.uk](http://ico.org.uk) [twitter.com/iconews](https://twitter.com/iconews)  
Please consider the environment before printing this email  
**For information about what we do with personal data  
see our [privacy notice](#)**