

## **Environmental Information Regulations 2004 (EIR)**

### **Decision notice**

**Date:** 15 September 2023

**Public Authority:** City of Bradford Metropolitan Borough Council

**Address:** Britannia House

Hall Ings

Bradford

BD1 1HX

#### **Decision (including any steps ordered)**

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1. The complainant requested information from City of Bradford Metropolitan Borough Council. By the date of this notice the public authority had not issued a substantive response to this request.
2. The Commissioner's decision is that the public authority has failed to respond to the request within 20 working days and has therefore breached regulation 5(2) of the EIR.
3. The Commissioner requires the the public authority to take the following steps to ensure compliance with the legislation.
  - Issue a substantive response to the request in accordance with its obligations under the EIR.
4. The public authority must take these steps within 35 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Freedom of Information Act and may be dealt with as a contempt of court.

## Request and response

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5. On 24 May 2023, the complainant made the following request for information to the public authority:

"I kindly request that you provide me with the following information regarding the major roads in Bradford and the implementation of bicycle lanes:

**Expenditure:** Please disclose the total amount of money spent on the major Bradford roads (specifically Leeds Road, Wakefield Road, Great Horton Road, Manchester Road, and the overall ring road) for the purpose of changing the road layout to accommodate bicycle lanes. I am interested in the expenditure for each road separately, as well as the overall expenditure for all the roads combined. Please provide the expenditure details for the most recent five years available.

**Feasibility and Demand Study:** Were any feasibility studies or demand assessments conducted prior to the implementation of bicycle lanes on the aforementioned major roads? If so, please provide copies of these studies or any relevant reports that detail the findings and conclusions.

**Usability Assessment:** Has there been any assessment or evaluation conducted to determine the usability and effectiveness of the bicycle lanes after their installation on the major Bradford roads mentioned above? If such assessments have been conducted, please provide the reports, studies, or any relevant documentation that evaluates the current usability and effectiveness of the bicycle lanes."

## Reasons for decision

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6. Regulation 5(1) of the EIR states that:

"a public authority that holds environmental information shall make it available on request."

7. Regulation 5(2) of the EIR states that:

"Information shall be made available under paragraph (1) as soon as possible and no later than 20 working days after the date of receipt of the request."

8. The Commissioner contacted the public authority on 15 August 2023 reminding it of its responsibilities and asking it to provide a substantive response to the complainant within 10 working days. Despite this

intervention the public authority has failed to respond to the complainant.

9. From the evidence provided to the Commissioner in this case, it is clear that the public authority did not deal with the request for information in accordance with the EIR. The Commissioner's decision is that the public authority has breached regulation 5(2) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with the EIR.

## Right of appeal

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10. 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: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

11. 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.
12. 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** .....

**Michael Lea**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**