

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 10 January 2024

**Public Authority:** London Borough of Southwark  
**Address:** PO BOX 64529  
London  
SE1P 5LX

### Decision (including any steps ordered)

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1. The complainant requested information from the London Borough of Southwark ('the Council').
2. The Commissioner's decision is that the Council breached section 10(1) of FOIA by failing to provide a valid response to the request within the statutory time frame of 20 working days. No steps are required.

### Request and response

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3. On 10 January 2022, the complainant made the following request for information:

" Under the terms of the Freedom Of Information (FOI) act I wish to request information from you.

These all relate to the QHIP Major Works and the QHIP Additional Works currently taking place on Devon Mansions [address redacted].

My requests for information are as follows:

1) The estimated service charge [for] the additional works is £12,025.47.

No breakdown has been provided.

Please provide me with a cost breakdown which shows the full details for how this figure has been estimated.

- 2) Please provide me with copies of all corresponding invoices \ receipts to date for all work carried out for the major works \ QHIP additional works which [substantiate] the actual \ estimated cost breakdown.
  - 3) Please provide copies of all survey documents (either originating from Engie or any other external surveyors) clearly showing that each item of work in question has been identified by a qualified surveyor as being urgent.
  - 4) Please provide copies of any sign-off documents relating to work already carried out by Engie on [the] block. By this I mean any documents showing that Southwark Council have inspected the work completed thus far by Engie and agreed that this has been performed to an acceptable standard.
  - 5) A section 20 notice has not been served to residents for this work. Please advise me at what stage Southwark Council are in applying to FTT for dispensation from this obligation, and show me any correspondence between Southwark Council and FTT regarding dispensation from the requirement to serve a section 20."
4. The Council responded to the request for information on 13 December 2023.
  5. The complainant confirmed to the Commissioner that they were happy with the response they eventually received, but wanted the extensive delay to be formally recorded.

### **Reasons for decision**

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6. Section 1(1) of FOIA states that:  
  
"Any person making a request for information to a public authority is entitled –  
  
(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and  
  
(b) if that is the case, to have that information communicated to him."
7. Section 10(1) of FOIA states that a public authority must respond to a request promptly and "not later than the twentieth working day following the date of receipt".

8. From the evidence provided to the Commissioner in this case, it is clear that the Council did not deal with the request for information in accordance with FOIA. The Commissioner finds that the Council has breached section 10(1) by failing to respond to the request within 20 working days.

## Right of appeal

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9. 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)

10. 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.
11. 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 .....**

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