

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 18 March 2024

Public Authority: The Royal Borough of Greenwich
Address: The Woolwich Centre
35 Wellington Street
Woolwich
SE18 6HQ

Decision (including any steps ordered)

1. The complainant has requested information regarding a parking enforcement camera installed by the Royal Borough of Greenwich (the Council). It provided some information within the scope of the request.
2. The Commissioner's decision is that, on the balance of probabilities, the Council does not hold any further information regarding the make and model of the camera.
3. The Commissioner does not require further steps.

Request and response

4. On 4 September 2023, the complainant wrote to the Council and requested information in the following terms:

"There is a parking enforcement camera on Well Hall Road in the vicinity of numbers 10 to 18, a still image taken from that camera is attached and the camera is visible here:
<https://goo.gl/maps/rMjLrKPu8RVmrtXm6>

I would like to know the exact make and model of the camera please."
5. The Council responded on 29 September 2023. It provided the name of the management solution provider to the complainant.

6. Following an internal review, the Council wrote to the complainant on 26 October 2023. It stated that it did not hold the make and model of the camera in question.

Scope of the case

7. The complainant contacted the Commissioner on 27 October 2023, to complain about the way their request for information had been handled. The complainant raised concerns about the Council's response that information regarding the make and model of the camera in question was not held.
8. The Commissioner considers that the scope of his investigation is to determine, on the balance of probabilities, whether the Council holds any additional information within the scope of the request.

Reasons for decision

Section 1 - Information held

9. Section 1(1)(a) of FOIA states that anyone making a request for information is entitled to be told whether a public authority holds the requested information. A public authority must therefore establish whether it holds the requested information before going on to consider whether it may be disclosed.
10. The Council says that it does not hold any further requested information. The complainant disputes this. In such cases, the Commissioner will apply the normal civil standard of proof in determining whether, on the 'balance of probabilities,' the requested information is held. In deciding where the balance of probabilities lies, the Commissioner will consider the evidence and arguments of both parties, together with any other information as to why it is likely, or unlikely, that information is held.

The complainant's position

11. The complainant explained that as the cameras were procured at the public expense, they would expect the Council would hold detailed records of the procurement process.
12. The complainant provided evidence from other public authorities who had provided similar information. The complainant acknowledged that although some public authorities hold the requested information, this does not mean that all will.

The Council's position

13. The Council informed the Commissioner that, as the camera is a relatively recent procured item, if any information is held it would be expected to be held electronically.
14. The Council advised the Commissioner that it had conducted searches on emails, shared drives, personal folders of the previous heads of parking and their direct reports for the requested information.
15. The Council explained that it also conducted checks online for any information which may relate to the request and contain the requested information.
16. Electronic information conducted searched and enquiries were made to various officers involved in the operations of the cameras. The Council explained that any paper records relating to this operation would have been electronically converted and retained electronically. The Council did confirm that it conducted a search to see if any archives fell into the scope the request.
17. The Council explained that relevant search terms it used were "Camera," "CCTV," "ANPR" and "Videalert." The Council confirmed that no information had been located during these searches and there is no record of any information within the scope of the request being deleted or destroyed.
18. The Council concluded that there is no business purpose or statutory obligation to hold the requested information. The Council stated that it is unlikely that the requested information would have been provided as there is no business purpose for the information to be held. The Council advised that the need to hold this information falls away with the use of the VCA type approval certification process. The VCA type approval certification process shows that the relevant checks on the suitability of the equipment have been undertaken and all the requirements had been met. The Council confirmed that it does not include any information relating to the make/model of the camera.

The Commissioner's Decision

19. The Commissioner has considered the complainant's position and, whilst he acknowledges that other public authorities have provided the requested information, he is satisfied that, on the balance of probabilities, the Council does not hold the requested information in this instance.
20. He is satisfied that the Council used adequate search terms to locate any information within the scope of the request. He is also satisfied that

had the Council held any further information within the scope of the request, this information would have been located during both its physical and electronic searches. The Council has therefore provided all of the information which it holds within the scope of the request.

21. The Commissioner does not require any further steps to be taken.

Right of appeal

22. 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

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

23. 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.
24. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Michael Lea
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Wilmslow
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SK9 5AF