

Environmental Information Regulations 2004 (EIR)
Freedom of Information Act 2000 (FOIA)
Decision notice

Date: 5 November 2024

Public Authority: Rutland County Council

Address: Catmose House
Catmos Street
Oakham
Rutland
LE15 6HP

Request:

The complainant requested the following information from Rutland County Council (the Council) on 4 September 2024:

"A copy of all correspondence and telephone conversations between Burmor Construction, or anyone acting on behalf of Burmor Construction, reference the restriction of pedestrians using Brooke Road and the Railway Crossing for the duration of the Brooke Road closure."

Commissioner's Decision:

A public authority will breach regulation 5(2) of the EIR if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore, the Commissioner finds a breach of regulation 5(2) of the EIR.

Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under the EIR.

The public authority must take this step within 30 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 FOIA and may be dealt with as a contempt of court.

Right of Appeal:

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

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

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**