

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 11 April 2016

**Public Authority:** Lincolnshire County Council

**Address:** County Offices  
Newland  
Lincoln  
LN1 1YL

### Decision (including any steps ordered)

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1. The complainant has requested information with regards to archaeological services. Lincolnshire County Council (the council) provided the information it held but the complainant believed the council had not provided him with everything it held.
2. The Commissioner's decision is that the council has provided the complainant with all the information it holds within the scope of the request.
3. The Commissioner does not require the council to take any steps.

### Request and response

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4. On 24 September 2015, the complainant requested the following information from the council:

*"East Lindsey District Council claim to have an "arrangement" with Lincolnshire County council for which they have paid a fee of £12,174 for 2014/15. As this arrangement is not written down it is unclear what the fee is for. The fee appears to change from year to year:*

*2014/15 £12,174*

*2013/14 £11,877*

*2012/13 £11,724*

*2011/12 £11,438*

*which would suggest that the arrangement has some arrangement for these changes. I would like to know what Lincolnshire County Council thinks the arrangement is for, how is the fee worked out and when was the arrangement last made?*

*I would also like to know how much it costs Lincolnshire County Council to provide archaeological services to East Lindsey District Council for either of the years 2014/15 or 2013/14 or where the figures might be found publically. I would expect the figures to include the costs of providing a Historic Environment Record for East Lindsey, providing heritage advice for planning decisions and for museum services such as providing accession codes and the storage of artefacts.*

5. The council responded on the 14 October 2015, it confirmed the figures he has quoted are correct and gave an explanation as to why it does not hold any other figures requested.
6. The complainant requested an internal review on the 15 October 2015 as he was not satisfied with the council's response. The council provided its internal review response on the 4 November 2015. It provided a response to the questions posed in the internal review request and considered it had now provided a full response to the request.

### **Scope of the case**

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7. The complainant contacted the Commissioner on the 11 November 2015 as he did not consider that the council had fully responded to the second half of his request, that being:

*"I would also like to know how much it costs Lincolnshire County Council to provide archaeological services to East Lindsey District Council for either of the years 2014/15 or 2013/14 or where the figures might be found publically. I would expect the figures to include the costs of providing a Historic Environment Record for East Lindsey/ [District Council], providing heritage advice for planning decisions and for museum services such as providing accession codes and the storage of artefacts."*

8. He has explained to the Commissioner that he was expecting to get access to the accounts for this particular part of the request and being provided with actual figures or references to named accounts with regards to archaeological services.
9. The Commissioner considers the scope of the case is to determine whether the council holds any named accounts which would include

figures and/or references to the second part of the complainant's request as per the above paragraph.

## **Reasons for decision**

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### **Section 1 of the FOIA – Information held/ not held**

10. Section 1 of the FOIA states that any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information within the scope of the request, and if so, to have that information communicated to him.
11. Where there is some dispute between the amount of information identified by a public authority and the amount of information that a complainant believes may be held, the Commissioner, following the lead of a number of First-tier Tribunal decisions must decide whether, on the balance of probabilities, the public authority holds any information which falls within the scope of the request (or was held at the time of the request).
12. The Commissioner has asked the council to reconsider the second part of the complainant's request and what the complainant was expecting to receive as identified in the 'Scope of the case' section of this decision notice above. He has asked the council to explain what searches it has carried out for the information and any reasons as to why the information is not held by it.
13. The council has explained to the Commissioner that a search was conducted in the budget system and the relevant budget account. Additional searches were carried out in its historic correspondence file to determine the origin of current arrangements
14. It has stated that it does not hold separate accounts for any of the District Councils or bodies to whom it supplies archaeological services. They are all held in one budget code account. This budget account for the financial years 2013/14 and 2014/15 was numbered 42301 in SAP (the council's finance system). These accounts were identified and were referred to in its initial response to the request and the complainant was also provided with copies of the relevant invoices from 2012 to 2015.
15. The council has also sought to clarify to the Commissioner that in relation to the information provided to the complainant, the term 'Profit Centre' does not refer to profits made by the council, but was simply the name applied to the service budget code.

16. With this, the council has confirmed to the Commissioner that it does not hold any other accounts with regards the archaeological services. They are all held in one budget code account. It has explained that the council provides a generic advice system whereby archaeological advice is supplied to a number of difference bodies.
17. The council has told the Commissioner that a search of its budget system was conducted which located and reported the relevant budget account already supplied. It has contacted its Historical Environment Team, Museum Services Team and Financial Services Team with regards to this request in order to establish what information it holds. It has confirmed that if any further information were held, it would be held electronically in which it ran searches under the terms 'archaeology' and 'archaeology services' in order to clarify no further information is held.
18. The council has also confirmed to the Commissioner that it is unaware of any other information ever being held, deleted or destroyed and that if any other information regarding payments was held, it would be held in its finance system.
19. The council has stated to the Commissioner it is not required to hold any other accounts with regards to this request and all the invoicing information it holds has been provided.
20. On review of the above, it appears to the Commissioner that the council has undertaken relevant checks in the most relevant places in order to establish and provide the complainant with the information it does hold within the scope of the request. The Commissioner appreciates why the complainant considers that the council may hold more financial information than that supplied, however, based on the explanations and searches carried out by the council it appears that it does not hold the further information expected by the complainant.
21. On this basis, the Commissioner concludes that on the balance of probabilities, the council holds no further information within the scope of the request.

## Right of appeal

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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: 0300 1234504

Fax: 0870 739 5836

Email: [GRC@hmcts.gsi.gov.uk](mailto:GRC@hmcts.gsi.gov.uk)

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

**Signed .....**

**Andrew White**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**