

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 7 July 2022

Public Authority: Middlewich Town Council
Address: Town Hall
Victoria Building
Lewin Street
Middlewich
Cheshire
CW10 9AS

Decision

1. The complainant requested a copy of the recording of a Town Council meeting from Middlewich Town Council ("the Council"). The Commissioner's decision is that the Council has disclosed all the information it holds within the scope of the request.

Request and response

2. The complainant made the following information request to the Council on 24 December 2021:

"Could you please provide the audio copy of the five hundred and forty first Middlewich Town Council meeting held on 20th of December 2021."
3. The final position of the Council is that it has provided all the information it holds within the scope of the request.

Reasons for decision

4. This reasoning covers whether the Council stated correctly that it holds no further information falling within the scope of the complainant's request to that which it disclosed.
5. In response to the request, the Council provided the complainant with a partial recording of the Council meeting. The complainant considers the Council to hold a full recording of the Council meeting.
6. The Council's position is that it has disclosed all the information it holds within the scope of the request. The Council explained that whilst it did hold a copy of the full recording of the meeting, the information is no longer held as the previous Parish Clerk edited the recording of the Council meeting and did not keep the original version.
7. The Commissioner accepts the Council's reasoning for not holding a copy of the full recording of the Council meeting. On this basis, his decision is that on the balance of probabilities the Council has disclosed to the complainant all the information it holds within the scope of the request. The Commissioner requires no further action to be taken by the Council in relation to this request.

Right of appeal

8. 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@justice.gov.uk

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

9. 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.
10. 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

Ben Tomes
Group Manager
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF