

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 10 January 2025

Public Authority: Middlewich Town Council

Address: The Town Hall
Victoria Buildings
Lewin Street
Middlewich
CW10 9AS

1. Request:

The complainant requested the following information from Middlewich Town Council on 22 August 2024:

" Item 14.2 of the Council's Financial regulations states that "no tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £500".

With reference to the ex-Town Clerk's laptop that I am informed has been lost, disposed of, or stolen, could you please provide me with the following information under the FOIA:

1. A copy of the invoice/procurement details for the laptop, i.e. invoice identifying the make, model, serial number, value and date of purchase.
2. Confirmation that this laptop was recorded on the Town Council's Asset Register.
3. A copy of the Police incident number issued to the Town Council when the laptop was reported lost or, if not lost, then a copy of the disposal

notice/document issued by the Council to Ms Antoney informing her that she had permission to dispose of her workplace laptop.

4. A copy of the inspection/service/repair document or any document stating the laptop was beyond viable repair and that it had been 'wiped' appropriately so that no sensitive information was still on the hard drive

5. A copy of the disposal document detailing when and how his laptop had been disposed of."

2. Commissioner's Decision:

A public authority will breach section 10 of FOIA 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 section 10.

3. Steps:

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

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.

4. 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**