

Freedom of Information Act 2000 (Section 51)

Information notice

Date: 31 March 2025

Public Authority: London Borough of Enfield
Address: Civic Centre
Silver Street
Enfield
EN1 3XA

Section 51

Under section 51 of the Freedom of Information Act 2000 (FOIA), which is set out below, the Information Commissioner (the Commissioner) has the power to serve a notice on a public authority requiring it to furnish him with any information he requires to enforce the requirements of FOIA.

51. – (1) If the Commissioner –

(a) has received an application under section 50, ...

he may serve the authority with a notice (in FOIA referred to as “an information notice”) requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

Application under section 50

1. The Commissioner has received an application under section 50, reference IC-339647-N5R1, for a decision whether a request for information made by the complainant to the London Borough of Enfield (the Council) on 27 April 2024, has been dealt with in accordance with the requirements of Part I of FOIA.

Nature of complaint

2. The complainant made the following request to the Council on 27 April 2024:

“Point 6.9 of the Enfield Local Plan Housing Topic Paper March 2024 refers to research carried out by Jones Lang LaSalle for Enfield’s Housing and Regeneration Team. I would be grateful if you would provide me with this research report.”

3. The Council responded on 25 July 2024. It confirmed that it held the report but considered this to be exempt from disclosure on the basis of section 43(2) (commercial interests) of FOIA.
4. The complainant contacted the Council on 9 August 2024 and asked it to conduct an internal review of that response.
5. The Commissioner’s understanding is that the internal review has not been completed.
6. The complainant contacted the Commissioner on 22 October 2024 to complain about the Council’s decision to withhold the requested information on the basis of section 43(2) of FOIA and its failure to complete the internal review.
7. The Commissioner contacted the Council on 6 February 2025 in relation to this complaint. The Commissioner asked the Council to provide him with a copy of the withheld information and submissions to support its position that this was exempt from disclosure. The Commissioner asked for a response within 10 working days.
8. The Commissioner contacted the Council on 25 February 2025 and on 5 March 2025 to chase the outstanding response to his previous letter.
9. The Council responded on 6 March 2025 and apologised for the delay, but explained that it was presently significantly understaffed. The Council therefore asked for an extension until 14 March 2025.
10. The Commissioner agreed to this extension. However, to date he has still not received a response from the Council to his letter of 6 February 2025.

Information required

11. In view of the matters described above the Commissioner hereby gives notice that in the exercise of his powers under section 51 of FOIA he

requires that the Council shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:

12. A full and substantive response to his letter of 6 February 2025.

Failure to comply

13. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of FOIA, and may be dealt with as a contempt of court.

Right of appeal

14. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can 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

15. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

Signed by

Jonathan Slee
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF