

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 12 October 2021

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

Decision (including any steps ordered)

1. The complainant requested information from the London Borough of Enfield ("*the Council*") about ambulance delays related to Fox Lane of the London Transport Network.
2. The Commissioner's decision is that the Council breached section 10(1) of the FOIA by failing to provide a valid response to the request within the statutory time frame of 20 working days. No steps are required.

Request and response

3. On 14 May 2021, the complainant wrote to the Council and requested information in the following terms:

"Please answer the following:

1. *Release the 8 incidents of ambulance delays related to Fox Lane LTN that have been reported to LBE from NHS?*
2. *The full copies of each of these reports*
3. *Release the incidents of all reported delays to ambulances that were reported directly to LBE and documentation showing:*
 - (A) *Date when reported to LBE*
 - (B) *Date when LBE reported these to NHS, and*

(C) *The incident reports of these incidents to NHS*

4. *Who at LBE has been responsible for assessing these reports so far (for both an officer and a cllr capacity please)?*

5. *Who are the named contacts from both LBE and NHS who are in regular conversations on this particular issue?*

Thank you."

4. The Council responded to the request for information on 3 August 2021.

Scope of the case

5. The complainant contacted the Commissioner on 29 June 2021 to complain about the Council's failure to respond to their request within the statutory time frame of the FOIA.

6. The Commissioner contacted the Council on 13 July 2021, providing them with 10 days to respond to the request.

7. The complainant contacted the Commissioner on 28 September 2021 to confirm that a response was issued on 3 August 2021.

8. The Commissioner has considered whether the Council has complied with its obligations in relation to the time for compliance at section 10(1) of the FOIA.

Reasons for decision

9. Section 10(1) of the FOIA states that a public authority must respond to a request promptly and "*not later than the twentieth working day following the date of receipt*".

10. From the evidence provided to the Commissioner in this case, it is clear that the Council did not deal with the request for information in accordance with the FOIA. The Commissioner finds that the Council has breached section 10(1) by failing to respond to the request within 20 working days.

Right of appeal

11. 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

12. 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.
13. 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

Michael Lea
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Wilmslow
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SK9 5AF