

**FREEDOM OF INFORMATION ACT 2000 (SECTION 50)**

**DECISION NOTICE**

**Dated 24<sup>th</sup> November 2005**

**Name of Public Authority: Greater Manchester Police**

**Address of Public Authority: Chester House  
Boyer Street  
Old Trafford  
Manchester  
M16 0RE**

**Nature of Complaint**

The Information Commissioner (the "Commissioner") has received a complaint which states that on 1<sup>st</sup> February 2005 information was requested concerning illegal car parking in Stockport from Greater Manchester Police ("GMP") under section 1 of the Freedom of Information Act 2000 (the "Act").

It is alleged that GMP refused to correspond with the complainant on the above matter.

**The Commissioner's Decision**

Under section 50(1) of the Act, except where a complainant has failed to exhaust a local complaints procedure, or where the complaint is frivolous or vexatious, subject to undue delay, or has been withdrawn, the Commissioner has a duty to consider whether the request for information has been dealt with in accordance with the requirements of Part I of the Act and to issue a Decision Notice to both the complainant and the public authority.

Section 1(1) of the Act states –

"Any person making a request for information to a public authority is entitled –

- (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
- (b) if that is the case, to have that information communicated to him"

Section 10(1) of the Act states –

"...a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt."

**Reference: FAC0068389**

GMP wrote to the complainant on 11<sup>th</sup> February 2005 refusing to enter into correspondence and neither confirming nor denying that the information requested was held by them.

Upon receiving advice from the Information Commissioner's Office, GMP responded to the complainant's request for information by way of a letter dated 10<sup>th</sup> May 2005.

The Commissioner's decision in this case is that GMP has not dealt with the complainant's request in accordance with the requirements of Part I of the Act in that it failed to comply with section 10(1).

### **Action Required**

Since GMP has now responded to the complainant's request for information, within a letter of the 28<sup>th</sup> September 2005 and during a personal visit from a Chief Inspector on the 29<sup>th</sup> July 2005 there are no remedial steps to be taken.

### **Right of Appeal**

Either party has the right to appeal against this Decision Notice to the Information Tribunal (the "Tribunal"). Information about the appeals process can be obtained from:

Information Tribunal	Tel: 0845 6000 477
Arnhem House Support Centre	Fax: 0116 249 4253
PO Box 6987	Email: <a href="mailto:informationtribunal@dca.gsi.gov.uk">informationtribunal@dca.gsi.gov.uk</a>
Leicester	
LE1 6ZX	

Any Notice of Appeal should be served on the Tribunal within 28 days of the date on which this Decision Notice is served.

Dated the 24th day of November 2005

Signed: .....

Graham Smith  
Deputy Commissioner

Information Commissioner  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF