

Environmental Information Regulations 2004 (EIR)

Decision notice

Date: 14 October 2022

Public Authority: Leeds City Council
Address: PO Box 837
Leeds
LS1 9PZ

Decision (including any steps ordered)

1. The complainant requested an Event Management Plan. Leeds City Council (the "council") confirmed that it did not hold the information.
2. The Commissioner's decision is that, on the balance of probabilities, the council does not hold the requested information and that it correctly applied regulation 12(4)(a). He also finds that the council failed to complete its internal review within the statutory time period and breached regulation 11(4).
3. The Commissioner does not require the council to take any steps.

Request and response

4. On 10 August 2021 the complainant wrote to Leeds City Council (the "council") and requested the following information:

"There's a growing lack of public confidence in how the festival is run that could begin to be remedied if you published the Event Management Plan. I can't see any reason for not showing the Leeds public how Leeds City Council scrutinises and regulates this licence issued in perpetuity and it might put minds at rest."

5. The council's final position is that it does not hold the requested information.

Reasons for decision

6. This reasoning covers whether the council is correct when it says that it does not hold the information the complainant requested.
7. In this case the council has explained that it has no reason to hold the requested information for its own purposes nor is the information held by another person on its behalf. The Commissioner is satisfied that, on the balance of probabilities, the council does not hold the requested information and that it has correctly applied regulation 12(4)(a) (information not held).
8. The Commissioner also finds that, in this case, the council failed to carry out its internal review within the statutory time period and breached regulation 11(4).

Right of appeal

9. 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

10. 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.
11. 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

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