

## **Freedom of Information Act 2000 (FOIA)**

### **Decision notice**

**Date:** 18 October 2022

**Public Authority:** Bristol City Council

**Address:** City Hall  
PO Box 3399  
Bristol  
BS1 9NE

#### **Decision (including any steps ordered)**

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1. The complainant requested information from Bristol City Council ("the Council") about the standards of social housing in Bristol.
2. The Commissioner's decision is that the Council breached section 10(1) of 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**

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3. On 26 July 2022, the complainant made the following request for information:
  - " 1 - What are Bristol's / national statutory standards for housing density within a home provided by a local authority?
  - 2 - What is the council's definition of an overcrowded social housing unit?
  - 3 - What is the current official total occupation capacity of Bristol's social housing?

4 - How many people, to the council's knowledge, are currently living in the totality of Bristol's social housing?

5 - How many people are currently living in Bristol social housing that has exceeded the statutory occupancy limit?

6 - If the answer to (5) is more than zero, how please give the longest time period that anyone has lived in that overcrowded housing, and how many people are in this accommodation.

7 - Please can you give a monthly breakdown for the past 12 months for Bristol's social housing waiting list."

4. The Council responded to the request for information on 29 September 2022.

### **Scope of the case**

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5. The complainant contacted the Commissioner on 28 September 2022 to complain about the Council's failure to respond to their request within the statutory time frame of FOIA.
6. The Commissioner has considered whether the Council has complied with its obligations in relation to the time for compliance at section 10(1) of FOIA.

### **Reasons for decision**

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7. Section 1(1) of FOIA states that:
- "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."
8. Section 10(1) of 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".
9. 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 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

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10. 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](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

11. 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.
12. 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**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**