

## Freedom of Information Act 2000 (FOIA)

### Decision notice

**Date:** 15 September 2023

**Public Authority:** London Borough of Bexley  
**Address:** 2 Watling Street  
Bexleyheath  
DA6 7AT

### Decision (including any steps ordered)

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1. The complainant has requested information from the London Borough of Bexley ("the Council") in relation to the parking warden's phone line. The Council has advised that no further information is held.
2. The Commissioner's decision is that, on the balance of probabilities, the Council does not hold any further information in relation to the request.
3. The Commissioner does not require the Council to take any steps as a result of this decision notice.

### Request and response

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4. On 22 March 2023, the complainant wrote to the Council and requested information in the following terms:

"The council's parking-warden phone line (020 8301 6317) appears to have been recently discontinued.  
Can you please share any materials explaining the motivation for this decision. (Including emails if relevant)."
5. The Council responded on 20 April 2023. It stated that it had not discontinued the facility to report alleged illegal parking activity, although it acknowledged that there had been a change in the process, which was not accurately reflected in the guidance. It went on to advise how the new process works/how to report illegal parking.

6. Following an internal review the Council wrote to the complainant on 20 June 2023. It explained that the decision to move to online services as the main method of reporting incorrectly parked vehicles was an operational decision between the supplier and the Council, and it is also within the terms of the contract. It added that there are no papers to disclose concerning the decision.

## **Scope of the case**

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7. The complainant contacted the Commissioner on 20 June 2023, to complain about the way their request for information had been handled.
8. The Commissioner considers that the scope of his investigation is to consider, on the balance of probabilities, if the Council holds any further information within the scope of the request.

## **Reasons for decision**

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### **Section 1 – information held/not held**

9. Section 1 of the FOIA states that any person making a request for information is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request and, if that is the case, to have that information communicated to him.
10. In scenarios where there is some dispute between the amount of information located by a public authority and the amount of information that a complainant believes may be held, the Commissioner, following the lead of a number of First-tier Tribunal (Information Rights) decisions, applies the civil standard of the balance of probabilities.
11. In other words, in order to determine such complaints, the Commissioner must decide whether on the balance of probabilities a public authority holds any - or additional - information which falls within the scope of the request (or was held at the time of the request).
12. The Council informed the Commissioner that within its service contract, there is a requirement for the service provided to offer a mechanism for the public and the Council to request enforcement at specific locations, dates or times. The line should be available between 08:30 and 22:00, Monday to Saturday.
13. The Council explained that the phonenumber which the complainant has referred to remains operational and is manned by the service provider. It added that additional facilities have been added to the line over time,

and callers are encouraged to use the online reporting service. However, callers can still speak directly to the on-duty Radio Control operator.

14. The Council acknowledges that requesting enforcement action verbally is not as straightforward as it used to be, due to the automated menus, however, the telephone line that the complainant has referred to has not been discontinued. It explained that it is still operational and is manned by the service provider's staff.
15. The Council has explained that changes were made without internal correspondence, however, as previously explained, the enforcement line in question remains in service.
16. The complainant advised the Commissioner that the telephone line referred to in their request has definitely been closed and that the Council has referred to another contact number, which also does not work.

### **The Commissioner's decision**

17. The Commissioner has tried both phonedlines that have been referred to and he is satisfied that they both work. He is satisfied that the phonedline in the complainant's request has not been discontinued. As such, on the balance of probabilities, the Council will not hold any information relating to the phonedline being discontinued.

## **Right of appeal**

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18. 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)

19. 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.
20. 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**