

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 29 May 2024

Public Authority: London Borough of Hounslow

Address: Hounslow House
7 Bath Road
Hounslow
Middlesex
TW3 3EB

Request:

The complainant requested information from the London Borough of Hounslow (the Council) about the Highways Maintenance PFI contract on 30 January 2024:

"I would like to be provided with a digital copy of the documents that were provided to (name redacted by ICO) under FOI request FIR006141 - i.e as originally prepared and redacted to fulfill an earlier FOI request by (name redacted by ICO). SEE <https://www.whatdotheyknow.com/request/o...>

If the files are too large or impossible to send to my email, please would you send them by USB.

(name redacted by ICO) requested

1. Please provide a copy of the Output Specification for the Highways Maintenance PFI contract. Please include any appendices to the Output Specification.
2. Please provide a copy of the schedule or schedules or part or parts of the PFI contract which set out the definitions of words and terms used in the "Output Specification" of the contract.
3. Please also provide a copy of any other sections of the PFI contract which explain, expand on, qualify, interpret or otherwise help to define the Output Specification.

If possible, please provide the requested information as a searchable pdf file. Thanks in anticipation of your assistance.”

Commissioner’s Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. On 30 April 2024, the Commissioner wrote to the public authority, reminding it of its responsibilities and asking it to provide a substantive response to the complainant’s request within 10 working days. The Council requested an extension to the Commissioners deadline to 24 May 2024 but failed to respond by this date. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore the Commissioner finds a breach of section 10.

Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Right of Appeal:

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

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**