

## **Freedom of Information Act 2000 (Section 51)**

### **Environmental Information Regulations 2004 (Regulation 18)**

#### **Information notice**

**Date:** 15 July 2024

**Public Authority:** North Northamptonshire Council  
**Address:** Municipal Offices  
Bowling Green Road  
Kettering  
Northamptonshire  
NN15 7QX

#### **Section 51**

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Regulation 18 of the Environmental Information Regulations 2004 ("the Regulations") states that "the enforcement and appeals provisions" of the Freedom of Information Act 2000 ("the Act") shall apply for the purposes of the Regulations. Therefore any reference to "this Act" in Part IV of the Act should be substituted with reference to "these Regulations". Part IV of the Act contains the enforcement and appeals provisions and includes section 50, 51 and 54 as mentioned in this Notice. All references to "the Act" should therefore be read as also referring to "the Regulations".

Under section 51 of the Freedom of Information Act 2000 (the "Act"), which is set out below, the Information Commissioner (the "Commissioner") has the power to serve a notice on a public authority requiring it to furnish him with any information she requires to enforce the requirements of the Act.

51. – (1) If the Commissioner –

(a) has received an application under section 50, ...

she may serve the authority with a notice (in this Act referred to as "an information notice") requiring it, within such time as is specified in the

notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

## **Application under section 50**

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1. The Commissioner has received an application under section 50, reference [IC-288629-P5K8], for a decision whether a request for information made by the complainant to the council on 23 November 2023, has been dealt with in accordance with the requirements of Part I of the Act.

## **Nature of complaint**

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2. The complainant is not satisfied with the council's refusal to provide the information which they requested.
3. Following receipt of the complaint from the complainant, the Commissioner wrote to the council on 1 May 2024. He asked it to respond to a number of questions regarding its response to the complainant's request. The Commissioner asked the council to provide its full and final response to his questions by 16 May 2024.
4. On 15 May 2024, the council wrote to the Commissioner and asked for additional time to provide its response to the Commissioner's questions. It subsequently provided its full response on 3 June 2024. It said that after carrying out searches, none of the requested information is held by it.
5. As the council was now stating that it held no relevant information, on 24 June 2024, the Commissioner wrote to the council and asked it a number of questions regarding the searches which it had undertaken in order to locate relevant information. The council wrote to the Commissioner on 26 June 2024 asking for additional time to provide its response.
6. As of the date of this Information Notice, the Commissioner has not received the council's response to the questions he asked in his email dated 24 June 2024.

## **Information required**

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7. In view of the matters described above the Commissioner hereby gives notice that in the exercise of his powers under section 51 of FOIA he requires that the council shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:
- Full and final responses to the questions which the Commissioner asked of the council in his letter dated 24 June 2024.

## **Failure to comply**

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8. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of the Act, and may be dealt with as a contempt of court.

## Right of appeal

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9. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504  
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)

10. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

### Signed by

**Ian Walley**  
**Senior Case Officer**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**