

Decision Notices published on ICO website

27 Sep 2021

The complainant has requested from the City of York Council, information regarding the resignation of a councillor from a Scrutiny Committee. The council denied that the requested information was held. The Commissioner's decision is that, on the balance of probabilities, the City of York Council does not hold the requested information. The Commissioner does not require any steps.

FOI 1: **Complaint not upheld**

27 Jul 2021

The complainant has requested information on inspections and correspondence relating to a liability claim which he made against the council for damage to his property. The council initially withheld some information under Regulation 12(5)(d), but on review, it also applied Regulation 12(5)(b) and Regulation 12(4)(e). The complainant also considers that further information should be held by it. The Commissioner's decision is that the council was not correct to apply Regulation 12(5)(d) to withhold the information. She has however decided that it was correct to apply Regulation 12(5)(b), and Regulation 12(4)(e). Further to this she has decided that the council has located and considered all of the information falling within the scope of the request, and that, on a balance of probabilities, no further information is held by it. She has however decided that it did not comply with the requirements of Regulation 5(2) in that it did not provide its response within 20 working days. The Commissioner does not require the council to take any steps. Information Tribunal appeal EA/2021/0229 under appeal.

EIR 12(5)(d): **Complaint upheld** EIR 12(4)(a): **Complaint not upheld** EIR 12(5)(b): **Complaint not upheld** EIR 12(4)(e): **Complaint not upheld** EIR 5(2): **Complaint upheld**