



# BARNSLEY

Metropolitan Borough Council

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Mr. T. R Nunn (via e-mail)

My Ref: CEx/MAK

Your Ref:

Enquiries to: Phil Coppard

Dial Direct (01226) 773301

Fax (01226) 773366

Date: 24<sup>th</sup> February 2010

Dear Mr. Nunn,

**FOIA1299 – Local Government Act 1974 Part III Section 32(3) notices**

Thank you for your email regarding LG Act 1974 Part III Section 32(3) notices. I have investigated the issues raised in your email and I now feel that I am in a position to respond.

As requested I have undertaken an internal review of your Freedom of Information request. I would like to confirm that there would be a need to conduct extensive searches to identify the information you have requested. When the Borough Secretary (the Council's principal legal officer) wishes to use Section 32 of the Local Government Act 1974 he writes to the LGO explaining why this is the case and asks the LGO to treat the letter as notice under Section 32. Normally this is in relation to sensitive personal data which is not appropriate to disclose to the complainant. The notices are not issued formally from the legal department, and so we do not keep records as you have suggested.

Therefore I confirm as a reasonable estimate it would take more than 18.5 hours to examine every complaint file to ascertain the very few notices which were issues. On this basis the information is exempt from disclosure.

If you do not find this response satisfactory you reserve your right to complain to the Information Commissioner. It may also be possible to contact the LGO directly to see if they hold this information. This would be at their discretion.

I hope that this answers all of your questions, if I can be of any further assistance please don't hesitate to contact me again.

Yours sincerely,

Chief Executive