

Your Ref:

Our Ref: Respond: 123103

Mr. A. Culpeck
Flat 4, Ascalon Court
75, Upper Tulse Hill
London
SW2 2RL



20th January 2010

FREEDOM OF INFORMATION REQUEST REF: 123103

Dear Mr. Culpeck,

Many thanks for your freedom of information request and I wish to apologise for the delay in getting back to you, and for any inconvenience this may have caused. I will deal with the specific issues in your FOI and then look to provide a more detailed response in terms of next steps. Clearly, we have failed in that you did not receive any response or an acknowledgement, to your enquiry dated 4 December. For that I am very sorry. Members too, also wish to apologise, and have advised me that they will be writing to you separately themselves.

The Council's complaints process has clearly defined deadlines. For complaints, we are obliged to acknowledge receipt of a complaint within 3 days and to provide a response within 15 days. Some complaints are more complex than others, and in certain circumstances more time may be required to complete the response. In such instances, complainants should be advised of the additional time required, and advised of the revised deadline date.

In your particular case, you chose to refer your matter to Councillors, which you are entitled to do. We classify these cases as 'members' enquiries'. Effectively, members' enquiries are enquiries submitted by constituents to their Ward Councillor(s). Whilst the principles are the same, members submit the referral to the relevant department for, very often, information from the relevant Council officer. The deadline turnaround for a members' enquiry from the officer is 10 days. This effectively allows the Councillor to respond to their constituent within 15 days. These cases should be acknowledged by the relevant Councillor.

Our elected Councillors manage their own casework, with limited support in this area for the Leader of the Council and Deputy Leader.

That, I hope, sets the context in relation to deadlines. In terms of next steps, as I understand it, the matter to which you refer in your email of 4 December, deals with an issue that falls within the jurisdiction of London Borough of Westminster. I will therefore ensure that your enquiry is referred to Westminster with an explanation of the situation. As stated above, the

London Borough of Lambeth
Legal and Democratic Services
Lambeth Town Hall
Brixton Hill
London SW2 1RW

Telephone: 020 926 2186
Facsimile: 020 926 2361
www.lambeth.gov.uk



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fact that you wrote to us should have meant that you received an acknowledgment and a reply explaining the position. I am very sorry that was not the case.

Councillor Haselden has kindly advised me that your email dated 4 December related to objections to Westminster Council's introduction of charges for motorcycle parking. Councillor Haselden attends the Partners in Parking board meetings for Lambeth. Councillor Haselden has also advised me that he did not do you the courtesy of acknowledging receipt of your message as asked, for which he would like to apologise. Councillor Haselden has advised me that he will write to you personally on that.

With regards to the action taken by Councillor Haselden, Councillor Haselden was unaware of the contested issue until he read your message and a similar one sent at the same time by another motorcyclist. He advises me that he would not have commented on the substance without discussion or briefing.

Councillor Haselden has informed me that he took the opportunity to consult with his supporting officer in the prelude to the meeting on Monday 7 December, with board colleagues, addressed the subject within the agenda and with the lobby group in attendance. The discussion concluded that the issue is a London Borough of Westminster one and would be duly processed by that borough. Members also took the opportunity to lobby members post-meeting, although he was not approached. As I have acknowledged you should have been advised of that.

Whilst fully I appreciate your frustration at the fact your email remained unanswered, I do hope that this letter provides you with an explanation and that you are able to accept my genuine apologies.

As a result of your FOI, I will now ensure that our procedures are reviewed in order to limit the chances of a similar problem from occurring again and I am very grateful to you for bringing this matter to our attention.

In accordance with the Freedom of Information Act, should you be dissatisfied with the way in which your Freedom of Information request has been dealt with, you can request an internal review by emailing: complaints@lambeth.gov.uk (Please quote the reference number above) or by writing to:

Corporate Complaints Manager
Lambeth Town Hall
Brixton Hill
Brixton
SW2 1RW

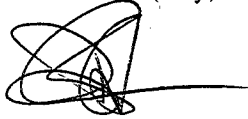
If you remain dissatisfied with the outcome of the review you have a further right to appeal to the Information Commissioner, who regulates the implementation of the Freedom of Information Act. The Commissioner can be contacted at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Enquiry line: 01625 545745

Should you wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'David Burn', with a long horizontal line extending to the right.

David Burn
Head of Democratic Services and Scrutiny
Direct Line: 020 7926 2186
Email: dburn@lambeth.gov.uk