

**Bill Cullen** MBA (ISM), BA(Hons) MRTPI  
**Chief Executive**



**Hinckley & Bosworth  
Borough Council**

**Please Ask For:** Faye Biddles  
**Telephone:** 01455 238141  
**Email:** access2info@hinckley-bosworth.gov.uk  
**Our Ref:** FOI/4811  
**Date:** 30 April 2018

Dear Mr Shaw,

Re: Your request under the Freedom of Information Act 2000, our ref: FOI/4811

Thank you for your request in regards to the council's information technology infrastructure. This has been processed under the Freedom of Information Act 2000 ("FOIA"). Unfortunately, on this occasion I am unable to oblige your request as I find that it meets the exemption at Section 14 of the Act.

While I understand the need to prepare good value tenders, there is no public purpose to your request. It is clearly market research for commercial gain and does not meet the transparency objectives of the FOIA. Your request does not focus on specific information, but is a general enquiry to provide information in relation to our existing contracts. It is unclear what, if any, public interest there is in disclosing this information.

Without clear public interest, the council considers such requests as vexatious. This is in line with the Upper Tribunal ruling of Information Commissioner V Dransfield (2012), Upper Tribunal Case No GIA-3037/2011, which was upheld by the court of appeal:

<http://www.bailii.org/uk/cases/UKUT/AAC/2013/440.html>

Judge Wikeley indicates in paragraphs 35 and 38 that improper use of the Freedom of Information Act (such as no public interest) is a valid consideration to make when deciding if a request is vexatious. Using the FOIA to gain a commercial advantage or seek opportunity over another can be included within this definition. Therefore, the duty in Section 1(1)(a) of the Act does not apply by virtue of Section 14(1). For your information, this letter constitutes a refusal notice under Section 17(1) of the FOIA.

If you are dissatisfied with the handling of your request, you may write to: Julie Kenny, Director of Corporate Services, Hinckley & Bosworth Borough Council, Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR. Please quote your FOIA reference number on all correspondence and ask that your request be reviewed under the council's internal appeals procedure.

Should you remain dissatisfied following an appeal, you may write to the Information Commissioner for a further review at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. [www.ico.org.uk](http://www.ico.org.uk).

Kind regards

A handwritten signature in black ink, appearing to read 'Faye Biddles'.

Faye Biddles  
Information Governance Officer