

Enquiries to: Information Team
Our Ref: FOI6809443



Liverpool
City Council

request-730411-c1ebb6db@whatdotheyknow.com

Dear Mr Pickford

Freedom of Information Request 6809443

Thank you for your recent information request, details of which are as follows –

- “1. Can the Liverpool City Council please tell the members of the public (Who pay his allowances) just how we are supposed to contact him?”*
- 2. Will the Liverpool city council explain as to why Cllr. Lisa Gaughan has also blanked all e-mails, letters, along with phone calls with regards to - Cllr Kennedy - and the failed sites in her ward and what is her role as a councilor as no one seems to know?*
- 3. Cllr Kennedy needs to be asked many questions with regards to the number of scams, failed developments that has taken place in his ward (Vauxhall)
Eight times the Liverpool city council has been asked if Cllr Kennedy lives in Spain and if so, why is he a still a councilor for Vauxhall & Kirkdale?*
- 4. Why is the new Mayor and the Liverpool city council and more so why is the Liverpool Labour Party not asking these same questions?*
- 5. Under electoral law the constituents can petition to have him (Cllr Kennedy) removed from his position can the Liverpool council give advice on this matter?.”*

Response

1. It is a matter for individual City Councillors as Data Controllers as to how they administer and respond to casework, communications and emails.
2. It is a matter for individual City Councillors as Data Controllers as to how they administer and respond to casework, communications and emails. The remainder of this ‘question’ constitutes statement, comment and opinion and is therefore not valid.
3. This element of your question constitutes statement, speculation and opinion and is therefore invalid under Freedom of Information legislation.
4. Freedom of Information legislation relates to information held and does not extend to require public authorities to provide explanations to speculative and leading questions.
5. In relation to Councillor Kennedy’s eligibility to stand or indeed remain as a Councillors, this is governed by the provisions of the Representation of the People Acts and associated legislation which govern the electoral processes of England and Wales. Specifically, the criteria states that to be able to stand as a candidate at a local government election in England and Wales, at the point of nomination the individual must be at least 18 years old, a British citizen, an eligible Commonwealth citizen or a citizen of any member state of the European Union, and meet at least one of the following four qualifications:
 - You are, and will continue to be, registered as a local government elector for the local authority area in which you wish to stand from the day of your nomination onwards.

Liverpool City Council Information Team
Cunard Building, Water Street, Liverpool, L3 1AH
E: informationrequests@liverpool.gov.uk

- You have occupied as owner or tenant any land or other premises in the local authority area during the whole of the 12 months before the day of your nomination and the day of election.
- Your main or only place of work during the 12 months prior to the day of your nomination and the day of election has been in the local authority area.
- You have lived in the local authority area during the whole of the 12 months before the day of your nomination and the day of election.

In relation to Councillor Kennedy, at the point of nomination he satisfied two criteria required for nomination, these being –

- He was registered at as an elector for the area covered by Liverpool City Council and was the registered owner if a property within the same area. Councillor Kennedy has for the duration of his current and previous terms of reference been registered as an elector.
- For the duration of the twelve months prior to nomination as well as on the date of nomination for his current term of office, Councillor Kennedy, by virtue of his ownership of a property within the area of the City Council, satisfied the criteria of occupation through ownership.

This criteria applies, as indicated within the legislation, for the twelve month period prior to the date of nomination as well as the date of nomination. This requirement does not continue once the nomination and election process has concluded. As this was satisfied at the point of nomination then his eligibility to hold the office of Councillor remains valid.

In the event that you require legal advice, then it is a matter for you to seek relevant guidance. Freedom of Information legislation relates to information held by public authorities and does not extend to require the provision of such advice.

This concludes our response.

The City Council will consider appeals, referrals or complaints in respect of your Freedom of Information Act 2000 and you must submit these in writing to Informationrequests@liverpool.gov.uk within 28 days of receiving your response. The matter will be dealt with by an officer who was not previously involved with the response and we will look to provide a response within 40 days.

If you remain dissatisfied you may also apply to the Information Commissioner for a decision about whether the request for information has been dealt with in accordance with the Freedom of Information Act 2000. The Information Commissioner's website is www.ico.gov.uk and the postal address and telephone numbers are:- Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. Telephone: 0303-123-113. Email – mail@ico.gsi.gov.uk (they advise that their email is not secure)

We trust this information satisfies your enquiry.

Yours sincerely
Information Team