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15 March 2021

**Freedom of Information Act 2000 (FOIA)
Request ID: IG_002 – Review of REQ08089**

Dear Sir/Madam.

Thank you for your request for a review of the Council's response to your request for information relating to the Common Seal, the full text of which is as follows:

Please provide a copy of all entries in the record book referred to in Part 3a - Council Procedure Rules; 25 Common seal of the council for the period Jan 1st 2013-Dec 2015.

I do not require copies of the attested/sealed documents themselves just the attestation/ seal dates, seal number and titles/names of documents being sealed.

Following the response to postpone dealing with your request you have asked the following:

My request was for a copy of the record book/log.

All relevant documents are supposed to be sealed by legal services and both the seal and record book/log are to be in the possession of the city solicitor.

Can you please confirm that the local authority are advising that legal services do not have an accurate and comprehensive record book/log of documents affixed with the seal of the city council, despite these seals being sequentially numbered.

I reiterate that I am not requesting the documents themselves.

For clarity the wording of Part 3A (Council Procedure Rules), paragraph 25 of the Council's Constitution are reproduced as follows:

COMMON SEAL OF THE COUNCIL

The Common Seal of the Council will be kept in a safe place in the custody of the City Solicitor. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the City Solicitor should be sealed. The Common Seal will be attested by the signature (including the facsimile of the signature by whatever process reproduced) of the City Solicitor or some other person authorised by him/her. A record of the attestation will be kept in a book to be provided for that purpose of every deed and other documents which the common seal has been affixed.

The Common Seal and Record Book are to be "kept in a safe place in the custody of the City Solicitor". To be clear the safe place in this instance is on Council premises. As detailed in the response, the City Solicitor, and indeed all staff at the Council, are following the current Central Government guidance to work from home and are only leaving home for work purposes where it is unreasonable for them to do their job from home.

By way of confirmation the Common Seal and Record Book remain on Council premises while the City Solicitor and all staff remain working from home. The City Solicitor (or any other staff) have **not** removed the Record Book from Council premises and taken it home for safe keeping in respect of "custody". The Council still considers there to be valid "custody" of the Record Book while it is on Council premises.

The Council repeats that in regards to your original request, it holds the information that you have asked for, however the information dating back to the period of your request is in a hard copy format which is archived in the Council premises and the only way of obtaining the information requested is for a Council employee to physically attend the offices, search the archive records and collate the necessary information.

The Council repeats that they are committed to complying with FOIA requests during the pandemic in as much as it is able to under the current climate. The Council have therefore given your request due consideration but at the present time propose to postpone responding to your request until such time as the current Lockdown ends and / or restrictions are lifted. This approach has been taken on the basis that the request can only be answered if a member of staff attends the offices to collate the information in person. While your request is important to the Council, it is considered unreasonable to require a member of staff to do this at the present time because the information requested is not one deemed to be required as a matter of urgency. The health and safety of all council colleagues is paramount and the Council has to take this into account when dealing with FOIA responses.

The Council therefore maintains its initial response to your request and regret that on this occasion they are not able to immediately accommodate your request but will keep the matter on hold and provide you with a response as soon as we are able to.

This concludes the Council's response to this matter. If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliff House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email casework@ico.org.uk.

Yours sincerely