

Date: 2nd December 2011  
Our ref: FOI.11.10913

Mr J Robertson  
[request-87198-625fb1f6@whatdotheyknow.com](mailto:request-87198-625fb1f6@whatdotheyknow.com)

Dear Mr Robertson

### **Freedom of Information Request**

I refer to your Freedom of Information request which was received by South Tyneside Council on 23<sup>rd</sup> September 2011 and which was answered on the 12<sup>th</sup> October 2011. You contacted us on the 21<sup>st</sup> November 2011 with a narrower scope for consideration.

#### Your request (narrower scope)

Rather than request an internal review could I please ask you to narrow down my request to copies of all emails / letters which the Leader has sent me / Robertson Scaffolding Ltd from August 2010 to 23/09/11.

#### Council's response

Even though your request now does fall within the appropriate cost limit under section 12 of the Act the Council have decided to refuse your request and relies on upon the exemption contained within section 21 of the Act, namely that the information is available to you by other means. The Council is the view that any emails sent by the Leader of the Council to you personally or to Robertson Scaffolding Limited are already in your possession. This is an absolute exemption and the Council does not need to consider the public interest test before applying the exemption.

#### Internal Review Procedure

If you are dissatisfied with the handling of this enquiry you can invoke the Council's internal review procedures to ask for an independent review of your request. All such requests must be sent to us within 4 weeks and must clearly state in writing your reference number and your reasons for your request for internal review.

The Information Governance Team can be contacted at the following address: Information Governance Team, Town Hall and Civic Buildings, Westoe Road, South Shields, Tyne and Wear, NE33 2RL.

Information Commissioner's Office (ICO)

Should you remain dissatisfied with the final outcome of the internal review process you can write to the Information Commissioner to ask for an independent review. The Information Commissioner is the Government's Independent Body responsible for overseeing the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004.

Please do note the ICO will only review cases that have exhausted the Council's internal review procedures. All correspondence to the ICO must quote the Council's reference number and your reasons for your appeal.

The ICO's contact details are as follows: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, SK9 5AF. More information can be found on the ICO's website at [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk).

If you have any further queries about this matter then please do not hesitate to contact us.

Yours sincerely

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**Information Governance**

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