



South Tyneside Council

John Robertson
request-173149-5d5d0615@whatdotheyknow.com

Date: 18th September 2013
Our Ref: FOI 13 12804

Dear Mr Robertson

Internal Review: Freedom of Information Request FOI 12 12804

On 10th September 2013, South Tyneside Council received your request to conduct an internal review of your Freedom of Information request reference 12804.

The request asked for **"I am writing to request an internal review of South Tyneside Metropolitan Borough Council's handling of my FOI request 'Demolition of Queens Road Day Centre'. I would like to request an internal review about this decision to refuse me this information. It is my legal right to receive this information as a taxpayer / resident of the Borough"**.

The internal review of your request was held on 17th September 2013. The Review Panel consisted of Mike Harding (Head of Legal Services). Paul Robinson (Corporate Lead Corporate Affairs) and Dave Patterson (Information Governance Team) attended the review hearing for the purposes of providing information and answering queries from the Panel, but none of these two officers took part in the review decision making process.

The Panel when making its decision considered the history of your original request and the responses provided to you by the Council.

The Council's original response to your request reference 12804 is shown below:

Having taken legal advice, the Council has refused this particular request and relies upon Section 14 of the Freedom of Information Act 1998 as it considers that it is vexatious. In coming to this conclusion, the Council has considered your conduct towards the Council, South Tyneside Homes and others with whom those organisations work, over the last 5 years.

Your request is considered to be submitted with the intention of causing harassment, and in view of your previous conduct, it has the potential to cause a disproportionate or unjustified level of disruption, irritation or distress.

Internal Review Response

The Internal Review Panel agreed to uphold the original FOI Request response that your Freedom of Information Request was vexatious and may cause harm or harassment.

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Information Commissioner's Office (ICO)

Should you remain dissatisfied with the outcome of my internal review, you can write to the Information Commissioner to ask for an independent appeal of the Council's decision. 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 the 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.

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

Yours sincerely

Mike Harding
Solicitor & Deputy Monitoring Officer
South Tyneside Council