

My Ref: IGO/11-8731 & IGO/11-8732
Your Ref:
Contact: Andrew Goodfellow
Email: information.governance@nottinghamcity.gov.uk



Nottingham
City Council

Information Governance

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Mr. A. Platt

23rd May 2011

Dear Mr. Platt

Re: Your request for information

Thank you for your emails dated 7th May 2011 logged as case IGO/11-8731 Housing Allocation – Internal Investigation and IGO/11-8732 – Postal Votes. As the information you requested is not personal or environmental it has been processed in accordance with the Freedom of Information Act 2000.

Owing to the fact that this authority is applying an exemption to all of the information requested, please accept this letter as a refusal notice issued in accordance with section 17 of this Act.

In light of your continuing requests for information, Nottingham City Council has reached the decision that the two requests as referenced above are vexatious and in accordance with section 14(1) of the Freedom of Information Act, we are not obliged to comply with these requests. There is no public interest test applicable to the use of section 14.

For your information in reaching this decision we have taken a number of factors into consideration including, in no particular order;

- The volume of your requests
 - In the last twelve months you have submitted 22 separate requests for information to this Authority. (Discounting requests for internal reviews (9) and appeals (5) to the Information Commissioners Office (ICO)).
- The frequency of your requests
 - Your requests frequently overlap one another or are submitted simultaneously, as the two in this case have done.
- Your continued requests are placing a significant and disproportionate burden in terms of expense to this Authority and distraction of officers from their normal duties.
- The combination of the above factors leads this Authority to the opinion that your requests can be fairly classed as obsessive.



- The fact that you have materials which feed into a website named 'ncclols.blogspot.com' which by virtue of its title is dedicated to highlighting any perceived failing in Council practices to make people 'laugh out loud', and in the last month, three of your previously submitted FOI's have featured on this blog.
- The often personal, derogatory comments directed at specific colleagues and councillors and tone of your blog.
 - This indicates that you hold personal grudges against employees of this Authority and are clearly antagonistic towards Nottingham City Council in general.
- The combination of the above factors leads this Authority to the opinion that your requests are having the effect of harassing this Authority and distressing its colleagues.

This Authority takes its obligations under the Freedom of Information Act 2000 very seriously and endeavours at all times to remain in compliance with the Act. We respect the right of any individual to make requests for information to this Authority and at all times strive to provide the fullest answers possible under the legislation.

However it must be noted that the Act itself, in the form of section 14(1), makes allowance for the fact that a point can be reached where a request or a requester is no longer acting in the spirit of the Act but is acting to cause unwarranted annoyance, distress or harassment and it is with regret that we have reached this point with yourself.

It is accepted that an individual request may not be vexatious in isolation (i.e. IGO/11-8732), but in context it may form part of a wider pattern of vexatious behaviour. In addition it is noted that it is the request, not the requester that must be vexatious. In this case we feel this request is a continuation of a pattern of behaviour as evidenced on 'ncclols' and part of an ongoing campaign to pressure the council. The request on its own may be simple, but our experience in dealing with you shows it is very likely to lead to further correspondence, requests and complaints.

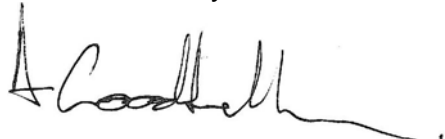
Please note that this letter does not preclude you from submitting further requests and we will consider those requests on a case by case basis. However you should be aware that unless a period of **60 working days** elapses between your requests it is likely that we will also consider them to be vexatious in accordance with the Act as you will be exhibiting a continued pattern of behaviour.

If you should have any questions please do not hesitate to contact me on the above number quoting your personal case reference which is **IGO/11-8731** or **IGO/11-8732**.

If you are not satisfied with the response provided or any exemptions applied you should write in the first instance to **Stephanie Pearson, Information Governance, 1st Floor, Loxley House, Station Street, Nottingham, NG2 3NG** stating the reasons for your dissatisfaction.

If you remain dissatisfied after receiving a response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF**. You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at mail@ico.gsi.gov.uk.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'A. Coakley', with a long horizontal flourish extending to the right.

Senior Information Governance Officer