

MINUTES OF A MEETING OF LYDD TOWN COUNCIL PERSONNEL COMMITTEE

Held on Monday 6th June 2022 at 6.30 pm in the Guild Hall Chamber

Present: Councillors Darren Chapman, Clive Goddard, Bob Jones, Paul Rye, Martin Sweeney (Town Mayor).

Angela Alexander – Town Clerk

The meeting commenced at 6.37 pm

138. ELECTION OF CHAIRMAN

RESOLVED: That Cllr Darren Chapman be re-elected as Chairman of the Personnel Committee.

***Proposed by Cllr Goddard and seconded by Cllr Bob Jones
Unanimous***

139. APOLOGIES FOR ABSENCE

None all Councillors present

140. DECLARATIONS OF INTEREST

There were none

141. MINUTES

RESOLVED: The minutes of the meeting held on Monday 4TH April 2022 were agreed as a true record and signed by the Chairman.

Proposed by Cllr Paul Rye and seconded by Cllr Sweeney

For: 4

Abstention: 1 (Cllr Bob Jones)

142. PRESS AND PUBLIC EXCLUDED

No press or public present at the meeting

143. CONFIDENTIALITY

The Chairman reminded all Committee members of the importance of confidentiality and that nothing discussed in the meeting should be repeated. The Chairman added that he had not heard of any breaches of confidentiality by Committee members during the last year.

144. POLICY ON USE OF CO2 MONITOR FOR COUNCIL MEETINGS (Appendix A page 145)

The draft Policy on use of the CO2 Monitor had been previously circulated to the Committee. This was because concerns had been raised following the Annual Town and Parish Assembly that the Monitor's alarm had sounded and the Alarm had been silenced by the Assistant Town Clerk at the request of the Mayor.

The purpose of the CO2 Monitor was discussed and the Town Clerk advised that it's continued use was recommended after Covid-19 restrictions were lifted. Standing Orders limit the meeting to 2 hours and concentration levels wane during a long meeting in an indoor environment. An increase in CO2 levels has a detrimental effect on the cognitive functions and can cause people to lose attention which may affect their ability to concentrate on their decision making. The use of the Monitor can be helpful and the meeting paused for a short comfort break if the Alarm sounds so that the air circulation can be improved.

Cllr Sweeney asked if the monitor had a visual display so that the Monitor could be watched by the Clerks during the and the audible alarm switched off

The Clerk advised that the Monitor's alarm should not be silenced and it is not possible for the Clerks to watch the Monitor and take minutes of the meeting at the same time. Following further discussion, it was agreed to continue the use of the CO2 Monitor and adopt the Policy for its use without amendments.

RESOLVED: To continue the use of the CO2 Monitor and to adopt the Policy for the CO2 Monitor's use as presented.

***Proposed by Cllr Bob Jones and seconded by Cllr Paul Rye
Unanimous.***

145. CIVIC PROTOCOL (Appendix B page 146 to 149)

A draft Civic Protocol to provide guidance for the Mayor, Deputy Mayor, Mayor's secretary and Town Sergeant was circulated for consideration. Once adopted the Protocol is to be issued to Mayor and Deputy Mayor upon election for their guidance during their term of office as well as relevant staff members.

The Mayor said that he was pleased it was on the agenda and important that we have protocols and policies in place for our insurance purposes.

The Chairman said this will be an aid for the Mayor, Mayor's Secretary and Town Sergeant. The Mayor said that their needs to be a process for 'short notice invitations to the Mayor wearing chains at an event. The Town Clerk said that it was unlikely that these invitations would come from the Mayor's circuit as we are now receiving invitations for much later in the year as Mayoral events are planned many months in advance to ensure they are in the diary. Unless an invitation comes in via the office and is processed through the system by the Mayor's secretary there is a risk of the chains being uninsured when out of the safe. The Town Clerk said that the Policy can be provided to local organisations so that the process is transparent for them to understand and that other Councils have a minimum lead time for invitations to be processed such as 5 days upwards and this could be built into our policy if the Committee wish. Cllr Goddard said that 5 days is too short a period and that Folkestone and Hythe District Council has a 21-day lead time and any sensible organisations are planning well in advance if they wish the Mayor to attend in chains.

The Town Clerk said that the protocol does not prevent the Mayor from attending events in an unofficial capacity without the use of the chains. There needs to be awareness that the Mayor's secretary needs sufficient time to process invitations and could be on leave when an invitation is received.

The Deputy Mayor, Cllr Bob Jones, said that during his time as Mayor he would be approached by people locally and informally to attend events but he always told them they must send a written invitation to the office to enable him to attend and that he is always guided by the Town Sergeant and Secretary about Mayoral attendance at events.

RESOLVED: To adopt the Civic Protocol with the amendment to build in a 5-day lead time for invitations to events.

***Proposed by Cllr Bob Jones and seconded by Cllr Paul Rye
Unanimous***

146. REVALUATION OF MAYORAL CHAINS, REGALIA AND OTHER ARTEFACTS

The Town Clerk advised that when she joined the Town Council in 2013 the buildings and assets had not been valued for quite some years and shortly after the buildings were valued by a surveyor and Canterbury Auction Gallery carried out the valuation of Artworks, Regalia etc and the up-to-date valuations used for insurance purposes.

The Independent Internal Auditor had included in his report a recommendation as follows:

"I observed from the Asset Register that the last valuations for a majority of the assets were several years ago. The value for the civic regalia is stated as £73k for the whole. I suspect that this is a serious undervaluation. The Mayor's chain has a double row of links and I am aware of a similar chain with a single row of links valued at £100k. Any undervaluation affects insurance cover so it seems likely that the Council is bearing most of the risk in

respect of the Mayor's chain while being under the impression that the chain is fully insured. I recommend that the regalia is valued as soon as is practicable."

On the basis of the Internal Auditors recommendation the Town Clerk had contacted Canterbury Auction Gallery to provide a cost to carry out the revaluation. The Managing Director of Canterbury Auction Galleries had agreed to hold the price previously charged of £400 for this service.

RESOLVED: To instruct Canterbury Auction Gallery to carry out the revaluation of Assets including Artworks, Regalia and chains etc. for the sum of £400.

Proposed by Cllr Paul Rye and seconded by Cllr Sweeney

For: 4

Against: 1 (Cllr Goddard)

147. HONORARY FREEMAN SCHEME (Appendix C page 150 to 151)

The Town Clerk advised that in November 2019 following a proposal by Cllr Tony Hills it was resolved to make Alice Boxall MBE an Honorary Freeman of Lydd. However, due to the lockdown because of Covid-19 the preparations and arrangements were put on hold. Miss Boxall is keen to have the ceremony coincide with a family visit from America and we are now making arrangements in line with this. The paperwork for the honorary freeman scheme had been previously circulated to the Committee and the Clerk reported that there was £2,000 previously agreed in the budget for this. The Town Clerk advised that the Honorary Freeman pendant would cost £298.81 + VAT and the scroll approx. £500. In addition, there would be the cost of refreshments and bouquet of flowers etc. The Town Clerk

RESOLVED: That delegated authority be given to the Town Clerk to plan the event, make appropriate arrangements and order all items and services required for the event up to the budgeted amount of £2,000.

Proposed by Cllr Goddard and seconded by Cllr Bob Jones

148. FREEDOM OF INFORMATION REQUESTS (Appendix D page 152 to 155)

The Chairman reported that a decision notice from the FOI had been received in relation to a complaint made by an individual which said that Lydd Town Council had complied with its obligations under regulation 5 (1) of the EIR. However, the information was not provided in the specified time scale. This was because the member of staff responsible for the information requested was shielding for some time due to a medical diagnosis and the information could not be accessed.

RESOLVED: That the decision notice and covering letter be published as an appendix to these minutes with the names and addresses redacted.

It was reported that 2 further complaints from an individual had been sent to the ICO and the Chairman read aloud the recommendation of our DPO Satswana in relation to this matter.

RESOLVED: That the guidance given by Satswana in relation to the 2 complaints by an individual be followed.

149. STAFFING MATTERS

Confidential report 2022/C0005

- a) Cllr Bob Jones raised some concerns which following discussion will be monitored by the Chairman of Personnel and the Town Clerk.
- b) The use of contracted hours of staff was discussed and the level of flexibility within staff contracts to ensure value for money for the Council.
- c) The Mayor raised that the work to repair the bar flooring at the Banks Pavilion should be surveyed and that this was too great a job to be done 'in house'. The Town Clerk requested that the Mayor telephone the member of staff involved that evening to explain this as on the way to the meeting he had said he was intending to carry out works the following day.

RESOLVED: That the Chairman of Personnel Committee and the Town Clerk monitor the matters raised by Cllr Bob Jones, and review the staff contracts to report back to the next meeting.

Unanimous.

The meeting closed at 20.08

Chairman -----

Date -----

LYDD TOWN COUNCIL

POLICY FOR USE OF THE CO2 MONITOR

Background

With the return to a more normal way of life and getting back to face-to-face meetings after Covid-19 it is important that we have processes in place to ensure that the meeting environment is safe and comfortable for Councillors, Staff and the public.

The government provided CO2 monitors to all schools and we were encouraged to purchase one for use in public buildings and particularly at our meetings to help measure the levels of CO2 in the Chamber and therefore increase ventilation when needed. Monitors are recommended for use in a space where a consistent number of people use them for over an hour such as a meeting room.

Letting fresh air into indoor spaces can help remove air that contains virus particles and is important in preventing the spread of Covid 19 and other viruses. By using the CO2 monitor staff can quickly identify when the ventilation needs to be improved to keep the Meeting room a healthy environment in which to continue the Meeting.

Ambient indoor air tends to contain approx. 800 parts per million (ppm) of carbon dioxide but the levels can rise rapidly in meeting rooms because exhaled air is approx. 4 percent carbon dioxide by volume. If we are outside then this is naturally diluted but this is not the case inside a building and particularly in a room where people are talking. When the levels reach 1200ppm then the CO2 monitor alarm sounds meaning that we have reached a threshold that action needs to be taken to increase the levels of circulating air to improve air quality.

Research shows that even if Covid-19 and other viruses are not of concern there is more at stake as too much carbon dioxide in the room will increase a feeling of drowsiness and affect concentration and have an adverse impact on cognitive and decision-making skills due to lack of oxygen to the brain

Use of the CO2 monitor at meetings.

- The Co2 monitor will be in use at meetings or other large gatherings of people in the Council Chamber and monitored by an Officer of the Council.
- The Alarm will sound at 1200ppm – Action to be taken as instructions below
- If the Alarm continues after opening windows the meeting to be adjourned to ask if people wish to leave the building
- At NO time should the Alarm be turned off or disabled
- If the Alarm continues a 10 minute break should be taken and people asked to leave the Chamber
- If the Alarm still continues or the indicator is purple the meeting shall be closed.
- The range PPM is colour coded as follows:

CO2 RANGE PPM	AIR QUALITY	PPM	ACTION	CHAIRMAN
Green	Good	400-799	None	
Yellow	Slight pollution	800-1199	Open fire escape	
Red ALARM WILL SOUND	Moderate pollution	1200-1999	Open all windows	Adjourn meeting and ask if people wish to leave
Purple	Serious pollution	2000-5000	Meeting must be closed.	Close the meeting and evacuate the Chamber

Policy for use of CO2 Monitor – June 2022

LYDD TOWN COUNCIL**CIVIC PROTOCOL****Background**

Section 245 (6) of the Local Government Act 1972 gave Parish Councils the power by resolution to give themselves the title of Town Council and the Chairman of a Town Council is entitled to the style of 'Town Mayor'.

A Town Mayor has the same rights and duties as a local Council Chairman and is elected by the full Council at the Statutory Annual Town Council meeting in May. A deputy Mayor is also elected at this meeting. The Mayor's term of office is for one year and during this time the Mayor continues to be a Member of the Council and presides over the meetings of the Council.

Role of Mayor

The role of the Mayor is to undertake Lydd Town Council's civic and ceremonial duties in a dignified manner so as to uphold and enhance the status of the town and encourage civic pride. This is of significant importance and should be kept in mind when the Mayor carries out their duties throughout the year and in deciding what initiatives they choose to undertake.

During the year the Mayor is invited to support a wide range of events in the Parish of Lydd and receives invitations to many events, functions and engagements. If the Mayor cannot attend a function the Deputy Mayor may be asked to attend on his/her behalf.

Duties which the Mayor may carry out include:

- Hosting functions organised by the Council
- Attending functions and engagements in the Parish of Lydd and outside as a ceremonial representative of the Council
- Official openings or presentations on behalf of the Council
- Organising events to raise funds for the Mayor's chosen charities

The Mayor will choose his or her own consort who should be given equivalent respect and dignity when accompanying the Mayor on Civic engagements.

The Mayor also has a number of statutory functions as set out below:

- If present at the full Council meeting the Mayor must chair the meeting
- The Mayor has a casting vote in the event of a tie
- The Mayor should ensure (with the Town Clerk) that the Council makes legal decisions
- The Mayor has a duty to ensure that the agenda is followed correctly

Support for the Mayor

Day to day support for the Mayor is provided by the Mayor's Secretary under the general direction of the Town Clerk. The Mayor's Secretary is an employee of Lydd Town Council who as well as carrying out other duties for the Council assists the Mayor with organising their Term of Office.

This position includes arranging a meeting with the new Mayor, once elected at the Annual Council meeting to arrange the Civic year, discuss lines of communication, diary management and the specific support required. The Mayor is provided with a laptop as well as their I-Pad for use throughout their Term of Office. This must be returned when they relinquish the role of Mayor.

The Mayor's secretary receives invitations for the Mayor usually by post or email, any verbal invitations to the Town Mayor must be confirmed in writing at least 5 working days prior to the event to the Mayor's secretary before being included on the list of invitations for the Mayor to consider.

The Mayor's Secretary will either meet in person with the Mayor on Thursday mornings to discuss the calendar of invitation or if the Mayor prefers the invitations will be sent by email on Thursday morning and should be responded to by the Mayor no later than 9am the following Monday morning.

The Mayor should respond whether he wishes to attend and whether he/she will be taking their consort and/or Town Sergeant with them. If the Mayor cannot attend, they may request that the Deputy Mayor attend on their behalf.

Once it is confirmed who will be attending the appropriate response is sent to the host organiser by the Mayor's Secretary who will check on other details such as dress code, Chains of Office, transport and parking arrangements and refreshments.

Confirmed events are entered into the Mayor's office diary and electronic calendar on Outlook detailing as much information as possible, which the Mayor can view remotely on his laptop.

If the Mayor and Deputy Mayor decline then an appropriate response to the organiser will be sent by the Mayor's Secretary.

All correspondence for the Mayor is kept by the Mayor's Secretary in the Guild Hall. It is courteous of the Mayor to send a personal thank you letter to the host after the event.

The Mayor's Secretary will also support the Mayor in responding to letters sent to the Guild Hall for their attention by providing letterhead, envelopes and stamp and posting or arranging hand delivery of the Mayor's replies. The Mayor's Secretary does not have the specific authority to respond on behalf of the Mayor.

Mayor's Charity

The Mayor's charity traditionally raises funds for local charities in the Parish of Lydd or the local area. It is advisable to choose the charity as soon as possible after election and to make a public announcement. The Mayor may decide on one main charity or support two or three local charities.

The Annual Town Meeting (Parish Assembly) is an appropriate time to present the cheques to the nominated Charities.

Mayor's Allowance

The Mayor has the use of an annual allowance from the Council to meet the expenses of attending events and there is a separate Mayoral Scheme which sets this out in more detail.

Payment for tickets etc for functions being attended by the Mayor will be made from the allowance when the Mayor's Secretary accepts the invitations.

Mayor's Robes and Chains

The Mayor's chain and badge of office are the outward signs of the Civic Office held. The Mayor should not wear the Civic robes and chain/badge of office in another capacity without express permission from the Council.

The mayoral chain can only be worn at mayoral engagements. It must not be worn when entering a neighbouring authority unless permission granted by the Mayor of that authority. Similarly, Mayors visiting Lydd will ask permission to wear their chains. On other occasions the badge of office only will be worn.

The Chains and Regalia are listed on the Asset Register and insured by Lydd Town Council.

We are obliged to inform our insurers is the protocol in relation to the safe keeping of the Chains is not adhered to.

The Chains are stored in the safe which has been approved as a secure place by our insurers who have received photographs and details of the manufacturer and serial number of the Guild Hall safe which has been confirmed to meet their requirements for the insurance to be valid.

Lydd Town Council keeps a book into which each movement of the Chains is recorded to satisfy the audit trail for our insurers.

- The Chains must be signed out of the Guild Hall and signed back in on their return
- If the Chains are needed out of office hours, then the Town Sergeant has responsibility to collect and return the Chains to the safe.
- The Chains may not be removed from the Guild Hall to be worn unless the Mayor's Secretary has accepted an invitation to an event on behalf of the Mayor and it is confirmed on the schedule sheet and recorded in the Mayor's diary so that we know the whereabouts of the Chains at all times.
- If the Mayor is attending a local event without the Town Sergeant present in the Town and Parish of Lydd, they may wear the Chains on the understanding they are kept with the Mayor at all times and they are not handed to anyone else. It is the responsibility of the Mayor to insure the Chains whilst in their home or car/van etc and be in their possession at all times. The Mayor must insure the Chains for the value as in the Asset Register at the time. The Mayor may collect and return the Chains to the Guild Hall if the event is taking place during Guild Hall working hours. If the event is outside the Guild Hall working hours the Chains must be collected and returned under arrangements with the Town Sergeant. If the Town Sergeant is not available due to holiday etc the Mayor must ensure that the Chains are kept in a secure locked safe and return to the Guild Hall at 9am on the next working day.
- During an event with the Town Sergeant in attendance the Mayor should take advice from the Town Sergeant for the security of the Chains, particularly when outside of the Parish of Lydd. The Mayor should not remove the Chains at an event without the

prior knowledge of the Town Sergeant who will then take responsibility for the Chains. If travelling abroad the Chains must be in the hands of the Town Sergeant or Town Mayor at all times and never checked in the hold on an airplane.

- The Town Sergeant is the guardian of the chains and the Mayor should defer to the Town Sergeant advice in relation to the wearing and safety of the Chains.
- The security of the Chains will be discussed on the change of Lydd Town Council insurers and the insurers will be consulted from time to time and the protocol and policy reviewed as necessary in accordance with their guidance.

Civic Events

There are a number of Civic events during the year which the Mayor is expected to attend and the Town Sergeant has dedicated hours set aside to accompany the Mayor at these events. Examples of these are (but not limited to):

- Mayor's Sunday
- Annual Town Meeting (Parish Assembly)
- Lydd Club Day
- Confederation of the Cinque Ports Standing Joint Committee and Speaker's Day
- Remembrance Sunday
- Twinning Events
- Lydd in Bloom and Lydd in Lights presentation evenings
- Other Council Civic Services, Civic Events etc

LYDD TOWN COUNCIL
HONORARY FREEMAN SCHEME



Policy Statement

From time to time, members of the community demonstrate outstanding commitment and contribution to the wellbeing of the Town and it is recognised that their efforts should be acknowledged. The Council will do this, in special circumstances that meet the criteria of this policy, by awarding to an individual the title of 'Honorary Freeman (or Honorary Freewoman) of the Town of Lydd'. This honour will be awarded only on rare and exceptional occasions.

Service

The nominee may have given extensive and eminent service to the Town and Parish of Lydd and its local community (eg service to other organisations and voluntary or community groups) in a largely voluntary capacity. The nominee must have made an outstanding contribution to the Town and Parish of Lydd such that the nominee's contribution can be seen to stand above the contributions made by most other people.

Nomination Criteria

The following will be taken into account when consideration is given to granting the honour of Honorary Freeman (or Honorary Freewoman):

- 1 Preference will be given to a person who performs in a voluntary capacity, but this should not preclude the honour being awarded to a person whose dedication and contribution is significantly above that expected from their occupation.
- 2 All nominees should have carried out their largely voluntary roles for a period of at least 20 years.
- 3 The award will not be restricted to Town Councillors or Town Council staff.
- 4 Any nominated Town Councillor should have retired from the post.

5th August 2013

- 5 The contribution to the wellbeing of the community must involve one or more of the following factors:
 - (a) A significant allocation of the person's time in serving members of the community for the improvement of their wellbeing.
 - (b) The promotion, achievement and/or delivery of community services in which a real personal contribution has been made.
 - (c) Whilst difficult to define, the contribution must be outstanding in that it can be seen to stand above the contributions of most other persons.

Nomination Procedure

- 1 Any resident or elector of the Town and Parish of Lydd may make a nomination but it must be sponsored by a Town Councillor.
- 2 Nominations must be made in writing to the Town Clerk. The submission should be evidence-based by outlining the voluntary service provided by the individual to the community and any other examples of 'community spirit' to justify the honour. On receipt of a nomination, it will be circulated to all Councillors for informal consideration.
- 3 If it appears that sufficient Councillors agree, informally, that the nominee should be made an Honorary Freeman (or Freewoman), the nominee will be invited to indicate whether s/he would accept the honour. If an affirmative response is received the nomination will then be put before a Special Council meeting and a formal vote taken.
- 4 No fewer than two-thirds of the Town Councillors present at the meeting must agree the nomination.
- 5 The decisions of the Council on all nominations (whether affirmative or negative) are final.

Entitlements

Any person declared an Honorary Freeman (or Honorary Freewoman) may designate himself/herself 'Honorary Freeman (or Freewoman) of the Town and Parish of Lydd'.

The award shall be made at a small ceremony which may take place at a Council meeting.

A scroll will be presented to the recipient.

Limitation on Holders of Award

At any one time, a maximum of eight persons, unless otherwise decided by the Council, may hold the title 'Honorary Freeman (or Freewoman) of Lydd'.

Reference: IC-98164-F7D4



Freedom of Information Act 2000 (FOIA)
Environmental Information Regulations 2004 (EIR)
Decision notice

Date: **9 May 2022**

Public Authority: **Lydd Town Council**

Address: **[REDACTED]**

Complainant: **Peter Webb**

Address: **[REDACTED]**

Decision (including any steps ordered)

1. The complainant requested various information in respect of the Rype Play Park. Lydd Town Council provided its revised Covid-19 Risk Assessment and following the Commissioner's intervention, provided the inspection sheets for the relevant time period. The Commissioner's decision is that Lydd Town Council has complied with its obligations under regulation 5(1) of the EIR. However, its failure to provide the inspection sheets within the specified timescales represents a breach of regulation 5(2) of the EIR. As the information has now been provided, the Commissioner does not require the Council to take any steps.

Request and response

2. On 26 January 2021, the complainant wrote to the Council and requested the following information in respect of Ripe Play Park:
 1. Please provide a copy of the **council's revised** and in-date **Covid-19 Risk Assessment** for the Ripe Play Park.
 2. A copy of the register identifying when the Play Park was cleaned, dating back to 4th July 2020."
3. The Council responded on 4 February 2020. It attached a copy of its Covid-19 Risk Assessment and in respect of item two of the request, informed the complainant that the record sheets were not currently available due to a member of staff shielding.

Reference: IC-98164-F7D4



4. The complainant was not satisfied with this response stating that there are many communication mediums available to allow the Council to comply with that part of their request.
5. Following an internal review the Council contacted the complainant on 22 February 2021 stating that it had consulted with a named Councillor who had in turn contacted the Health and Safety Executive (HSE). The HSE had advised that they are satisfied with the actions the Council had taken and on that basis the Council closed the case on the concerns raised.
6. Following the Commissioner's intervention, the Council recently sent the complainant the inspection sheets relevant to item two of their request.

Scope of the case

7. The complainant contacted the Commissioner on 2 April 2021 to complain about the way their request for information had been handled. The complainant was not satisfied that the Council had not provided information in respect of item two of their request and alleged that its response on this issue was mis-leading and possibly factually false.
8. The scope of the Commissioner's investigation is to consider whether the Council has complied with its obligations under regulation 5(1) of the EIR.

Reasons for decision

Regulation 5

9. Under regulation 5(1) of the EIR, in response to a request for information, a public authority is only required to provide recorded information it holds and is not therefore required to create new information in order to respond to a request.
10. In scenarios where there is some dispute between the information located by a public authority and the information that a complainant believes may be held, the Commissioner, following the lead of a number of Information Tribunal decisions, applies the civil standard of the balance of probabilities.
11. The Commissioner's judgement in such cases is based on the complainant's arguments and the public authority's submissions and where relevant, details of any searches undertaken. The Commissioner expects the public authority to conduct a reasonable and proportionate search in all cases.

Reference: IC-98164-F7D4



12. In this particular case, the complainant has stated that there is no mention in the weekly reports about Covid cleaning which was the reason for the request as they wanted to see evidence that it had taken place.
13. The complainant added that they are suspicious that the reports have been generated as a 'desk top' exercise, plus the Town Clerk had not signed off acceptance of any them.
14. The Commissioner has considered the inspection reports and has no reason to believe that they are anything other than a genuine record of the cleaning of Ripe Play Park for the relevant time period, regardless of whether or not they provide the evidence the complainant expected to see. Furthermore, if they had been created as a 'desk top' exercise, the Commissioner would anticipate that they would be more likely to contain the information the complainant was seeking.
15. The Commissioner has concluded on the balance of probabilities that the Council has now provided all information it holds in respect of the request and has therefore complied with its obligations under regulation 5(1) of the EIR.

Reference: IC-98164-F7D4



Right of appeal

16. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963
Fax: 0870 739 5836
Email: grc@justice.gov.uk
Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

17. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
18. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.


Signed

Catherine Dickenson
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