
FREEDOM OF INFORMATION ACT – FEE REGULATIONS

1 SUMMARY

- 1.1 The Corporate Director (Law, Planning & Administration) will present a verbal report to the Committee on the progress of the draft Freedom of Information Fees Regulations.

2 INTRODUCTION

- 2.1 As Members are aware, the Freedom of Information Act 2000 comes into full force on 1 January 2005. From that date the Council will be required to respond to all requests in writing from individuals for information in its possession within 20 working days unless a statutory exemption applies
- 2.2 At the time of writing this report there are no regulations in place regarding fees to be charged for this service.
- 2.3 In a recent speech, the Secretary of State indicated that no fee will be payable for the first £450 of cost to the authority in providing information under the Act. This sum does not include disbursements such as photocopying, etc. and is estimated by government to equate to 2.5 days of officer time. In the view of the Secretary of State, this means that almost all requests will be dealt with without charge.

3 CHARGING REGIME

- 3.1 On the basis of the information to hand, the Council will be required to provide up to approximately 20 hours of officer time in responding to each request. Officers will deal with requests under current delegation. However, it is proposed that the Council agrees that requests estimate to exceed the proposed financial limit will not be processed except on the specific authority of the Chief Executive at the full cost to the authority of providing the information.
- 3.2 A verbal update with regard to the Fees Order will be presented at the meeting.

4 RESOURCE IMPLICATIONS

- 4.1 The Secretary of State has indicated that the government will meet the cost of implementing the Freedom of Information Act in the years 2004/5 and beyond but there are no details as to how this is to be done.

5 LEGAL IMPLICATIONS

- 5.1 The Council is under a statutory duty to implement the Freedom of Information Act.

6 PARISH IMPLICATIONS

6.1 This legislation affects all public bodies including Parish Councils.

7 RECOMMENDATION

7.1 It is proposed that the Committee **RESOLVES**

To determine the Council's charging regime for Freedom of Information requests subject to any Regulations in that regard

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Background Papers:-

None

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