

**Emails requesting the County Council to comply with the Information Commissioner's ruling to release the independent reviewer's original report**

24 April 2019

Steve

The Parish Council Footpath Group met today. Having been told that the County Council is not appealing the Information Commissioner's ruling to release Dan Barton's February 2018 report, our understanding is that the report should have been with us by Friday 21 April. You have said you are preparing an explanatory note which is not yet ready.

The Parish Council is increasingly frustrated by the County Council's failure to meet specified timetables.

I am therefore advising you that if the Dan Barton report is not provided by Friday 26 April 5 pm, I will inform the Information Commissioner of the failure to comply with her Decision Notice, and ask her to certify the breach to the High Court under section 54 of the Freedom of Information Act 2000. That section is incorporated in the enforcement provisions of the Environmental Information Regulations 2004.

The High Court would then deal with the non compliance as a contempt of court.

I look forward to receiving the report. If your note is still not ready, it can follow dispatch of the report.

Kind regards

Simon

Simon Smith  
Caldbeck Parish Council Clerk  
Sandale Barn, Sandale, Boltongate, Wigton CA71DE  
016973 71008

On 21 Apr 2019, at 20:37, Simon Smith <[caldbeckparishclerk@gmail.com](mailto:caldbeckparishclerk@gmail.com)> wrote:

Steve

I don't know if you're able to help but we have a footpath meeting this Wednesday. If you're able to release Dan Barton's report with your note to follow if it's not ready, that would be very much appreciated but I do recognise you may be wanting to add your commentary.

Many thanks and kind regards

Simon

Simon Smith  
Caldbeck Parish Council Clerk  
Sandale Barn, Sandale, Boltongate, Wigton CA71DE  
016973 71008

On 18 Apr 2019, at 17:50, Simon Smith <[caldbeckparishclerk@gmail.com](mailto:caldbeckparishclerk@gmail.com)> wrote:

Many thanks Steve - that's very good to know.

Kind regards

Simon

Simon Smith  
Caldbeck Parish Council Clerk  
Sandale Barn, Sandale, Boltongate, Wigton CA71DE  
016973 71008

On 18 Apr 2019, at 17:12, Tweedie, Steve <[Steve.Tweedie@cumbria.gov.uk](mailto:Steve.Tweedie@cumbria.gov.uk)> wrote:

Dear Simon, I write further to your email below and the voice mail message you left me earlier today.

I can confirm the Council has not appealed the Information Commissioner's decision. In following the ICO guidance contained in their decision notice of the 15th March 2019 (para 38) an explanatory note is to be provided with the report. Unfortunately this note has not been completed to allow me to release the report today.

Please accept my apologies for any inconvenience caused by this delay but be assured this matter will be concluded following the Easter break.

Yours sincerely,

Steve Tweedie.

Information Governance Manager  
Customer & Community Services  
Cumbria County Council  
Cumbria House  
117 Botchergate  
Carlisle  
CA1 1RD

Tel: 075 0002 7215

**From:** Simon Smith [<mailto:caldbeckparishclerk@gmail.com>]  
**Sent:** 12 April 2019 13:53  
**To:** Tweedie, Steve  
**Subject:** Re: Information Commissioner

Steve

I'd be very grateful if you're able to provide any update on the County Council's next steps on this. My understanding is that if the County Council wishes to appeal the ruling, today is the deadline.

I appreciate you have longer to comply with the ruling but if you are able to let me know what is happening, that would be very helpful.

Many thanks and kind regards

Simon

Simon Smith  
Caldbeck Parish Council Clerk  
Sandale Barn, Sandale, Boltongate, Wigton CA71DE  
016973 71008