

John Fullbrook

Subject:

From: John Fullbrook <Sent: 03 December 2021 01:04 PM

To: Paul Campbell <**Subject:** Freedom of Information Act Request re Public Liability Insurance Issues.

Dear Cllr Campbell

Sorry for the delay in this reply to your Freedom of Information request.

With regards to your request.

You will note that the entire insurance document has been scanned and sent to Councillors, including yourself. The Cover note having been sent previously, and assurance given as to the cover being in place, having been given previous to that.

To reiterate -

Commencement of Full Cover of the SPC Insurance Policy was dated the 1st September 2021.

Cover details - £10,000,000 Public / Products Liability, and £10,000,000 Employers Liability.

I find your request noted below, above and beyond the need for seeing the certificate of Insurance cover and the policy schedule associated with and detailing the current cover, to be vexatious under Section 14 of the Freedom of Information Act, and by way of further explanation I reference the letter you received from the Information Commissioners Office dated 7th June 2018 which stated the following – *'The Commissioner will expect the Council to take a more robust and pro-active approach with regard to its processing and managing of requests in future, as the wholly unsatisfactory situation which has persisted for the last several years cannot be allowed to continue'*

In terms of this response, you have the right to ask the Council to review any refusals. In these circumstances you should

make your request in writing to me please (including by email) and give reasons.

You can also apply to the Information Commissioner at the ICO – The link being

<https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-informationconcern/>

We hope this deals with your query but if you require any further information or clarity then please let me know.

Yours Sincerely

John

John Fullbrook

Clerk to the Council

01903 812042

From: John Fullbrook **Sent:** 11 October 2021 15:15

To: Paul Campbell < **Subject:** RE: Freedom of Information Act Request re Public Liability Insurance Issues.

Dear Cllr Campbell

Thank you for your Freedom of Information enquiry – I acknowledge receipt and will respond to you as soon as I possibly can

Yours sincerely

John

John Fullbrook

Clerk to the Council

From: Paul Campbell <Sent: 30 September 2021 09:12

To: John Fullbrook **Subject:** Freedom of Information Act Request re Public Liability Insurance Issues.

Mr Fullbrook and Cllrs Norcross, Young and Lloyd

My email of 10 September 2021 has been ignored, seemingly as part of the unspoken policy of "ghosting" me.

It should not be necessary for me to use the FoIA in order to get the documentation to which I am entitled as a councillor sitting on the F and GP and on the Community Committees to ensure we are insured, but in the circumstances please treat the email of 10 September 2021 as such a request. I know you are aware that a request does not have to be expressed as being made under the Act in order for it to need to be treated as one where appropriate. Accordingly, the time limit started to run from the 10th.

To be clear, the information I now want put in the public domain, in addition to and including the specific information requested on 10 September is everything pertinent to showing the whole picture of how it came about that play equipment which SPC made a public statement was "perfectly safe to use" was then urgently taken out of service, with some repaired and some removed from service either temporarily or permanently, while areas of concern on the Memorial Playing Field have not been addressed and so we may remain uninsured.

This means:-

- All insurance endorsements and conditions relevant to the council's public liability cover from 29 July 2021 to date, plus
- All correspondence and file notes pertinent to that issue with particular regard to health and safety issues at the SPC play areas, adult gym area, MPF as a whole, and Canada Gardens Allotment from that date between:-
 - *Councillors and other councillors,
 - Councillors and the Office,
 - Councillors or the Office with the insurers or their brokers
 - Councillors or the Office with HDC and in particular those who inspect the play equipment
 - Councillors or the Office and Wicksteed
 - Councillors or the Office with TC Maintenance

* "Councillors" for the purposes of this request means Cllr Norcross who is Chairman of the Council, Cllr Young who is Vice-Chairman of the Council and Cllr Lloyd who is Chair of Community Committee.

Please send me the information in digital, not hard copy, form.

Thank you very much

Cllr Campbell

From: Paul Campbell **Sent:** 10 September 2021 09:29 AM

To: Hazel Roxby < Tim Lloyd **Subject:** Request for documentation and safety report re MPF.

Hazel and Cllr Lloyd

Three things

Please urgently let us all see the terms on which the insurers have reinstated cover and let us see the latest endorsement. It should not be necessary to deal with this as an FoI. Councillors are entitled to this information.

Please do me the courtesy of letting me have a copy of Cllr Lloyd's statement of 7 September 2021 with its inaccurate attacks on me and its inaccurate defence of SPC's published position that "all the equipment [was] perfectly safe to use"

The MPF is still unsafe.

- There are trip hazards from dislodged matting beneath benches
- The badger excavations which I photographed in my previous report and which would never have been an issue had there been Heras fencing in place and/or the holes filled when the grass first germinated had still not been filled as at the afternoon of 7 September 2021 despite my report. As they are now disguised by long grass the hazard is more serious, not less. See photo

Cllr Campbell