

John Fullbrook

Subject: FW: ICO Decision Notice 19 October 2022 Re Adult Gym Equipment
Attachments: Outside Gym - Maintenance Log.pdf

From: John Fullbrook **Sent:** 27 October 2022 18:04

To: Paul Campbell <**Cc:** Joanna Norcross Chris Young <Hazel Roxby <**Subject:** RE: ICO Decision Notice 19 October 2022 Re Adult Gym Equipment

Dear Paul

Please find attached the SPC Adult Gym maintenance log as per your Freedom of Information request.

You will note our SPC log is not quarterly, but monthly (most months anyway) as per the agreement within Community Committee (then Amenities Committee) that I could ask a contractor to complete regular preventative maintenance visits to play areas and the gym, and starting with an agreed 'walk around' of all the areas involved with a maintenance operative back in June 2020. Checks were of course in place long before this time, and as reported within committee meetings which I believe you were in attendance for, however the log itself does not start to record these until June 2020.

I Hope this response meets with your approval, and complies with your request for information regarding our adult exercise/gym area.

If it does not, then please let me know in the first instance and or respond to the Case Officer in charge of this matter.

Your sincerely
John

John Fullbrook
Clerk to the Council
01903 812042

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From: Paul Campbell <**Sent:** 20 October 2022 17:48

To: John Fullbrook <**Cc:** Full Council <**Subject:** ICO Decision Notice 19 October 2022 Re Adult Gym Equipment

Mr Fullbrook (Cc All Councillors)

Overview

The attached decision notice from the ICO confirms that my request of 13 October 2021 which was made in the in the following terms re the neglected maintenance of the adult gym equipment was not vexatious: -

"On 21 September [2021] I also asked you for the four maintenance logs covering the last year because it is a condition of the guarantee that these are available. I do not wish to deal with these things under the FOI regime as we should get them without hassle as councillors but as this is yet another issue where you are withholding information, you will be aware that a request for info should be treated as an FOI if that is what in reality it amounts to."

"The Commissioner's decision is that the request was not vexatious, and he orders SPC to issue a fresh response which does not rely on section 14(1) of FOIA."

Would you please now respond with the four quarterly adult gym maintenance log documents I asked for, or if it is the case that there are none and so the warranty was allowed to lapse, with confirmation of that fact?

The detail

For a very long time you have repeatedly stated publicly that what some of us see as endemic procrastination and/or obstruction by you is because you are overworked due to vexatious Fol and EiR request from me.

You have been supported in this by the Personnel Committee and by the Fol Panel, the membership of both of which comprise almost always the same completely overlapping individuals. It reaching its nadir when on 11 November 2021 you were permitted by the Personnel Committee to make a public presentation repeatedly attacking me, supported by many, if not all of that committee, which approved a strategy of you generically treating requests from me as vexatious and also consigning my messages "to the bottom of the pile".

Sure enough, after being forced by the ICO to respond to my request, you rejected it, claiming it to have been vexatious. The Review Panel then did the same thing, confirming their own November 2021 strategy, having completely disregarded the information I had provided concerning the correct test as set out in ICO Guidance. That information is now confirmed by the ICO in the DN. *"However, each request must be assessed and judged on its own individual merit, and it is the request itself that must be vexatious, not the person making it."*

I have repeatedly said that if you will only provide us with documents to which we have always clearly been entitled to enable us to do our work as councillors then a huge amount of wasted work both for the Office and for councillors, including me, would be spared.

These decision notices as well as the Hoey Report provide confirmation of what I have long argued - *"Steining need to consider their whole freedom of information approach. Whilst*

the policy they currently have is sound in theory, the way it is implemented and the approach to councillor access to information needs to be re-thought in such a manner that councillors will have access to everything they are entitled to see and need to know in a timely and appropriate manner rather than having to make FOI requests". They show that what I have been saying about your obstruction creating unnecessary work for you and others is correct.

This decision notice is the third in recent weeks to vindicate me by finding the grounds of refusal not to be appropriate.

I will look forward to hearing from you and trust, given the very modest number of documents involved, that you will not cynically use the whole 35 days before purporting to comply as has happened with the previous DN concerning the information I sought about a claim against SPC where you have waited the full 35 days and then have still not provided the information.

Thank you

Cllr Campbell

Gym Equipment Maintenance Log

Inspection Date	Routine Checks record	Maintenance Carried out./Notes
24th June 2020	check complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
24th July 2020	check complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
24th August 2020	Check Complete	Try out all stations and oil with GT5 light oil. Wipe off excess oil
24th Oct 2020	check complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
24th January 2021	Check complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
25th February 2021	Check Complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	Try out all stations and oil with GT5 light oil. Wipe off excess oil Shoulder press - some corrosion Cross trainer - some wear on bearings Chest Press - some movements on bearings. Recumbent bike - no lights

24th March 2021	Check complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	Try out all stations and oil with GT5 light oil. Wipe off excess oil
24th April 2021	Check Complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
24th May 2021	Check Complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
24th June 2021	Check Complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
24th July 2021	Check complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
24th August 2021	Check complete Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	Squeaky noise coming from cross trainer
24th October 2021	Check complete	

		Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.		
	Oct-21	The Great outdoor Gym Company	Service and repairs	
24th November 2021		Check complete		
		Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.		
16th December 2021		Check complete		
		Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.		
16th January 2022		Check complete		
		Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.		
	Jan-22	The Great outdoor Gym Company	Service and repairs	
16th February 2022		Check complete		
		Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.		
16th March 2022		Check complete		
		Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.		
16th April 2022		Check complete		

	Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
16th May 2022	Check complete	
	Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
16th June 2022	Check complete	
	Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
21st June 2022		Cross Trainer - Change 8 bearings, soak up WD40, unscrew pedals, coax off stubborn bearings, wire brush and scrape off rust. Oil and grease new bearings, bang in tight on pedals and bars
		Service and repairs
16th July 2022	The Great outdoor Gym Company Check complete	
	Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
16th August 2022	Check complete	
	Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
19th September 2022	Check complete	

	Oil and grease all moving parts on equipment, Check all equipment for wear and tear, looses bolts and trip hazards.	
24th October 2022	Check Complete	Remove and replace with new support clamp on Gym bar

29th Oct 2022

31st Mar 2022

28th June 2022

Parts Purchased			
LGH - Little green heart			
Flange Ollite Bearing Bush,			
Kenguru spare parts - 5 x Clamps 1 x Horizontal bar			