



BURNS

Lancashire Combined Fire Authority
Chairman CC F.DeMolfetta
LFRS Headquarters
Garstang Road, Fulwood,
Preston, PR2 3LH.

Monday, 19th October, 2015.

7, Kings Drive,
Preston. Lancashire.
England. PR2 3HN.
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symbolseeker999@gmail.com

My Ref: PB01315.

Freedom Of Information Request.

Dear Chairman,

1. You are the person ultimately responsible in law for the LFRS and it was on that basis that I directed my formal FOI Request to you on the 9th inst., not to some clerk on the staff of the LFRS.
2. I acknowledge receipt of your letter dated 16th inst, the contents of which I shall assume that both you, and the Chief Fire Officer, have seen and approved before dispatch to me, and it is upon that basis I will now proceed.
3. I regret that you did not extend to me the courtesy of responding directly to me as civilised conventions demand unlike your Labour Leader CC J.Mein and her LibDem Coalition partner Cllr W.Winlow.
4. It is a requirement of the Act in responding to formal Requests that you must comply fully with the Statutory protocols of the Act.
5. Your response must either fully address the detail of the Request, including part refusals with legal justification, or a full formal refusal of my entire Request stipulating in law the legal basis for that refusal.
6. Your rambling self-opinionated letter which I do not regard as a formal protocol fails to address the necessary compliance with the Act. Indeed I have to say that at times it ranges from the inadequately laughable to the bizarre.
7. Nevertheless let me address your letter for the record and present you with a *final opportunity* to comply fully with the Act and its formal legal protocols.
8. It seems in an omnipotent and sweeping statement, which has no relevance in

Statute law or reality, that you personally have decided that *all the 2000+/- FSV of Lancashire* for whom you have legal responsibility, have been *deemed by you* to be 'vexatious' in asking you Public interest questions.

9. I need to remind you that you are the accountable political head of *their* Combined Fire Authority, an Authority *which pays their lawful pensions*.
10. It also seems to have escaped your attention that not only are they *your* Veterans, Widows, and Beneficiaries for whom you have a moral obligation but that they are also members of the Public with an interest in the LFRS; electoral roll voters; and local Taxpayers to whom you have to give final account for expenditure.
11. In another invincible statement you apparently regard my statements of fact and the actual Questions I have posed to you, indeed '*much of your correspondence*', as '*defamatory*' though you produce no evidence to support your statement. Even if this was the case, which it clearly is not, surely I need hardly remind you of the 'Derbyshire Principle'?
12. The Public and myself find it bizarre that you have decided to defend the 'reputations' of Mr. Gardiner who is without doubt, confirmed by his prompt action in resigning, a fraudster who owes the Lancashire Taxpayers money and who is no longer an employee of the LFRS, and Mr. Hamilton who stands suspended by you, accused, and awaiting a disciplinary hearing on an alleged 'race hate' crime.
13. I have to ask you is this the manner in which you demonstrate your Party political beliefs in the policies of fiduciary financial care and anti-racism within the LFRS?
14. In another Godlike statement *you have decided* in contravention of the guiding principles of the freedom of information enshrined in its Act that you will not 'engage' in an 'exercise' to 'rebut or explain' your actions in which you are rightly challenged. Indeed you will not answer questions at all.
15. Is this a fit statement from an elected Labour councillor indicating how you politically discharge your legal and Public duties as the Chairman of the CFA?
16. I have rarely seen such a bold statement of intended political self-immolation but that is a matter for you, and the People at large, for the moment. The gravity of the position in which you have placed yourself and indeed the reputation of the local Labour Party seems to have escaped you, but let me remind you what we the People elected you to do.
17. Your elected duty is to serve the People. We do not serve you. Your personal inescapable duty under law is to answer the Public interest Questions we have directly posed to you under this Act of Parliamentary Law, not the clerks of the LFRS.

18. If you cannot answer these questions then you must explain in detail to the Electorate and me why, whilst having the courage to append your name at the end.
19. If I have not had either the courtesy an acknowledgement or formal response ***directly signed by you*** by 16:00hrs on Friday 23rd October then I shall without further notice lodge a Complaint under the Act with the Information Commissioner.

Your Truly,

A handwritten signature in black ink, appearing to read 'Paul P. Burns', written in a cursive style.

Divisional Fire Officer (Rtd)

By Hand and by Email as of this date.

Posted to 'The Morning Bugler'.