

Freedom of Information/EIR Refusal (PIT)

Centre City Tower, 7 Hill Street, Birmingham B5 4UA
21 Bloomsbury Street, London WC1B 3HF

By email

28th January 2016

Freedom of Information Act (FOIA) - Request For Information- Refusal
Notice

Reference: Fol 04012016

Dear 

Thank you for your email in which you request:

Please provide the responses to Ofwat's consultation on the review of non-household retail price controls.

Further to your request for information dated 18.01.2016, I can confirm that we do hold the information you have requested, however the information you requested is being withheld under the Freedom of Information Act 2000.

The exemption applied is Section 22, Information Intended for Future Publication.

This exemption applies because Ofwat plan to publish the responses during the middle of March alongside our next statement on the Non-Household (NHH) price control review.

We therefore deem this exemption engaged.

Public Interest Test

As this exemption is a Qualified exemption it is subject to the public interest test.

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There is a clear public interest in disclosing information that helps the public to understand the way a public authority works. Ofwat considers that working with a wide range of stakeholders enhances its provision of regulating the industry and moving the industry forward to meet future challenges, as well as enhancing its statutory functions to the public. Nonetheless, stakeholders also benefit from the orderly release of information and can be reasonably expect to be treated fairly and consistently. These considerations suggest that early disclosure would not be appropriate and could be unfair to other stakeholders. After due consideration we feel it is the correct and proper decision to manage the planning and control of this publication to ensure that our integrity and reputation is maintained with all our stakeholders.

It is considered that the public interest in withholding the information outweighs the public interest in disclosing it and that therefore the information is exempt from release at this time.

Confidential Information

Some of the information held has been classified as “confidential”. In accordance with the provisions of the Act we are consulting with those respondents to ascertain why they consider this information to be confidential and whether it should remain confidential for the purposes of non-disclosure. We will review their responses against the provisions of the Act, in order for us to make as full a release as practicable in March.

At publication time we will write to inform you of how the information can be accessed and advise you if any information is withheld. If any information is withheld we will also inform you of any relevant exemption at that time and for what reason.

If you wish to discuss any of the above please contact me, quoting the relevant reference number.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, please contact:

Programme Office

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Ofwat
Centre City Tower
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mailbox@ofwat.gsi.gov.uk

If you are not happy with the outcome of that review you can ask the Information Commissioner's Office to consider your complaint. Generally, the ICO will not make a decision unless you have exhausted Ofwat's complaints procedure. The ICO can be contacted at:

<https://ico.org.uk/>

or

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

Yours sincerely

Christine Manise
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Operations
Ofwat
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7 Hill Street
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