

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

By email

20 September 2016

Freedom of Information Act 2000 (FOIA) -Request For Information

Reference: FOI 104082016

Dear 

Thank you for your email in which you request:

A copy of all correspondence between the Heyford Park Management Company (or its parent company The Dorchester Group) and Ofwat. This should include the relevant licenses.

Ofwat confirms it does hold the information requested.

Some of the correspondence Ofwat holds is attached, although this document is publicly available on Cherwell District Council's website which can be accessed at the following link

[http://npa.cherwell.gov.uk/AniteIM.WebSearch/\(S\(ak3blnnh3oz0yfestsf5fbzk\)\)/Results.aspx?grdResultsP=5](http://npa.cherwell.gov.uk/AniteIM.WebSearch/(S(ak3blnnh3oz0yfestsf5fbzk))/Results.aspx?grdResultsP=5) . Some of the information has been withheld as we consider it falls under two exemptions set out in the FOIA.

In a letter to you of 31 Augst 2016, my colleague Ben Groom, confirmed that we have received an application from County Water, a subsidiary of the Dorchester Group, to become the sewage provider for the Heyford Park site. In that letter he informed you that a decision has not yet been made in respect of the application and that a public consultation on the application will be conducted in the the near future. After that consultation, if a licence is granted, it will be made publicly available on our

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website. We therefore consider that details of the application and any subsequent licence are exempt from disclosure under the Section 22 FOIA –Information intended for future publication.

In addition, we consider that all the information (other than information attached to this letter) requested falls under the exemption covered by Section 44 FOIA - Prohibitions on disclosure.

Section 44 states:

- (1) Information is exempt information if its disclosure (otherwise than under the FOIA) by the public authority holding it-
- (2) (a) is prohibited by or under any enactment

We consider that this exemption applies because section 206 of the Water Industry Act 1991 (“**WIA**”) prohibits the disclosure, without consent, of information with respect to any particular business that has been obtained by virtue of any of the provisions of the WIA and relates to the affairs of any particular business or individual. Information which is covered by section 206 of WIA is exempt from disclosure under section 44 of the FOIA (an absolute exemption that is not subject to a public interest test).

We have contacted the Dorchester Group with regard to your request, and they have not given consent to the disclosure of any of the documents submitted to us by them in relation to County Water’s licence application. We are therefore unable to disclose this information at this time.

If you have any queries or concerns with regard to the content of this email please do contact me, quoting the reference number.

I also confirm that we will notify you as soon as the consultation on County Water’s application commences.

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 and Project Management Office
Ofwat

Freedom of Information/EIR Provide the Information

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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

Senior Associate, Freedom of Information

Programme and Project Management

Ofwat

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