

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

By email

17 February 2017

Freedom of Information request/ Environmental Information
Regulations –Request For Information

Reference: FOI 12022017

Dear [REDACTED]

Thank you for your request for information. I write to confirm that the information you have requested is not held by Ofwat.

As the economic regulator for the water industry Ofwat we are appointed by the Secretary of State under S1A of the Water Industry Act (WIA) 1991 and as such are not responsible for defining exemptions.

As our [website](#) states any exemptions from charge require new legislation and is beyond Ofwats control. Your request would need to be directed to Defra.

I was able to locate the following reference taken from a Parliamentary research brief which states: “An **altered** or **new highway** is or would be, when fully constructed, wholly in England; the Secretary of State will be the highway authority for the highway; “. ¹

Therefore it is possible the Secretary of State may be exempt from charges also, but this would need to be confirmed either by Defra or through legal advice.

¹ <http://researchbriefings.files.parliament.uk/documents/SN00739/SN00739.pdf>

Freedom of Information/EIR Information Not Held

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If you would like to submit your request to Defra you can submit your request via the link here:

<https://www.gov.uk/make-a-freedom-of-information-request/the-freedom-of-information-act>

Once an FOI request is answered, it is considered to be in the public domain. To promote transparency, Ofwat may publish the response and any material released on our website in the [FOI disclosure section](#). Any personal information in the letter will be removed before publishing.

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
Centre City Tower
7 Hill Street
Birmingham B5 4UA
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,

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