

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

By email

15 May 2018

Request For Information-[REDACTED]/Environmental
Information Regulations (EIR) request

Reference: EIR 20180439 [REDACTED]

Dear [REDACTED]

Thank you for your requests for information concerning analysis that Ofwat has undertaken regarding responsibility (for maintenance and/or ownership) for sewers captured under the Public Health Acts 1936 and 1875.

Please find attached all relevant documentation both in respect to your request [REDACTED] and the Environmental Information Regulations 2004 (EIR). [REDACTED]

[REDACTED] Any other information will be considered under Freedom of Information and/or the EIR.

Exceptions to the duty to disclose under the EIR

[Regulation 12 of the EIR](#) sets out exceptions to the duty to disclose environmental information. Regulation 12(4)(e) of the EIR states:

“12.—(4) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that—

(e) the request involves the disclosure of internal communications.”

Ofwat considers some of the information requested exempt from disclosure on the basis that some information relates to personal data of a third party and under regulation 12 (4) (e) of the EIR which relates to Internal Communications.

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The [Information Commissioner's Office has set out guidance on the use of regulation 12\(4\) \(e\)](#) and this guidance notes that 'the underlying rationale behind the exception is that public authorities should have the necessary space to think in private.'

We consider that the exemption under regulation 12 (4) (e) applies in this case and on this basis we have decided not to disclose some internal communications in respect of your request.

Furthermore I can confirm that since your first contact with Ofwat, there has not been any analysis conducted as a result of your enquiries and we do not hold any correspondence from other Government or Water Companies in relation to this matter.

Once an EIR 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. This document will be held in accordance with Ofwat's retention and disposal schedule which can be found in our Publication Scheme at the following link <https://www.ofwat.gov.uk/publication/retention-disposals-policy/>. If you have any concerns how Ofwat processes your personal data please contact the Data Protection Officer at FOI@ofwat.gsi.gov.uk. To view Ofwat's full privacy policy please go to <https://www.ofwat.gov.uk/publication/privacy-policy/>

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

Further information concerning your rights is available from the Information Commissioner's Office at:

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

or

The Information Commissioner's Office
Wycliffe House



Freedom of Information/EIR Provide the Information

Centre City Tower, 7 Hill Street, Birmingham B5 4UA
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Water Lane
Wilmslow

Yours sincerely,

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