

Freedom of Information/EIR Refusal (PIT)

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

By email

15 May 2018

Environmental Information Regulations –Request For Information-
Refusal Notice

Reference: EIR 20180440

Dear 

Thank you for your email in which you request “Copies of all reports produced by - or sent to Ofwat having been written by - UK Water Industry Research Ltd for each of the last five years up until this request is answered”.

I can confirm that the information you requested is being withheld under the Environmental Information Regulations 2004. The exception that applies is Regulation 12 (5) (c) (e).

Ofwat has considered the exception and confirms that the information is commercial in nature and that disclosure could affect a legitimate economic interest.

Ofwat are not the authors of the reports and following consultation with UKWIR Ofwat considers that to disclose the reports without consent, could be commercially prejudicial to the interests of UKWIR and its members. The reports are subject to copyright and have a commercial value to UKWIR. Disclosure to the public could adversely affect UKWIR’s commercial interests and could result in legal proceedings against Ofwat.

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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.

Whilst it is clearly in the public interest to know how public authorities work, if Ofwat were to have legal action taken against it for the disclosure of the reports without consent, the cost to the public would increase. Ofwat considers itself a responsible organisation and has no wish to incur additional expense to the public or have its reputation damaged by any potential legal proceedings.

We therefore deem this exception engaged.

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

Once a 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. We will hold the information in accordance with Ofwat's [retention and disposal schedule](#) which can be found in our Publication Scheme on our website.

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

FOI@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:

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

or

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

Yours sincerely

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Programme and Project Management
Ofwat
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7 Hill Street
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