

File note – internal review

Osborne House Conservation Plan – B Taylor

Mike,

Further to Sarah's request for the documents for the above I enclose a copy of both the relevant registered file and my case file. I also have a TRIM file which I think Sarah should have given you access to/sent you the contents.

I provided Mr Taylor with all the relevant documentation that we have; nothing was withheld. As none of the staff who were closely involved in the drawing up of the Plan are here anymore I have been unable to ask anyone about it. It is quite conceivable, due to the age of the papers, that the file is incomplete. They may either have not been placed on the file in the first place or become detached due to usage.

Mr Taylor is aware that the Conservation Plan which the correspondence he has been provided relate to was never adopted and that the draft version, which is the only one we have, has no formal status. He was informed of this by a letter from Simon Thurley, a copy of which is in both the plastic folder and my TRIM folder.

I hope that the above is clear. Do let me know if you have any questions.

Many thanks

TREVITT, Jessica

From: TREVITT, Jessica
Sent: 23 September 2009 09:48
To: BLAKEMAN, Sarah
Cc: SIMMONDS, Jennifer; HOULTON, Sophie
Subject: RE: Osborne House Conservation Plan (OHCP)

Tracking: **Recipient** **Read**
 BLAKEMAN, Sarah
 SIMMONDS, Jennifer Read: 23/09/2009 09:50
 HOULTON, Sophie

Hi Sarah,

To confirm our conversation a few minutes ago – there isn't a CD for Mr Taylor's request, only papers. We have had a number of requests concerning the OHCP and I confused it with those which asked for a copy of the actual Plan. Unfortunately the information that we have which was relevant to Mr Taylor's request is limited and so it is quite likely that there are gaps in the information that he was sent. As no one who was involved the Plan works here anymore we couldn't ask anyone about it. As far as I remember we sent everything that was on the file. We'll send Mike both our file and the actual case file.

Hope that's OK

Jess

Jessica Trevitt | Access to Information Manager
 English Heritage | Mezzanine Floor |
 Isambard House | Swindon | SN2 2GZ
 Tel: 01793 41 4539

-----Original Message-----

From: TREVITT, Jessica
Sent: 23 September 2009 08:20
To: BLAKEMAN, Sarah
Cc: QUELCH, Frances; SIMMONDS, Jennifer; HOULTON, Sophie
Subject: RE: Osborne House Conservation Plan (OHCP)

Sarah,

Thanks and I hope that you had a good break. Unusually I'm rather surprised by this request for a review. Can I ask if he has given reasons for it and if so what they are? Although the reply was late I gave him all the relevant information that we have. He's evidently forgotten about the 'thank you' email that he sent me when the information arrived (I assume that it was genuine).

While he is understandably not pleased that it was not possible for me to reply within the 20 days Mike will see from my FOI case file that he has previously asked for a 'review' of the process. Sophie completed this as it was procedural matter rather than about the application of the legislation. We thought that we had managed to steady the waters.

As Mr Taylor placed the request via the WhatDoTheyKnow.com website all the

correspondence that we have had with him are accessible via that http://www.whatdotheyknow.com/request/osborne_house_conservation_plan#comment-4554 (except for the one or two occasions – including the ‘thank you’ – where he used his personal email account and my internal emails) Is an electronic version of the documents OK or would hardcopy be preferable? as all my cases have TRIM folders an e-version is easier and quicker. I’ll have to send over a copy of the CD which the report that was sent on it. The only difference between the one that I sent him and got from the case file is that DRAFT has been watermarked onto the former.

Hopefully that at least explains the case a bit.

Jess

Jessica Trevitt | Access to Information Manager
English Heritage | Mezzanine Floor |
Isambard House | Swindon | SN2 2GZ
Tel: 01793 41 4539

-----Original Message-----

From: BLAKEMAN, Sarah
Sent: 21 September 2009 17:08
To: TREVITT, Jessica
Subject: Osborne House Conservation Plan (OHCP)

Hi Jess,

Please can I have your file on Mr B Taylor regarding the above freedom of information request so that Mike can review the matter?

Thanks,

Sarah Blakeman
Legal Office Manager
English Heritage
1 Waterhouse Square
138-142 Holborn,
London EC1N 2ST
Tel 0207 973 3361
Fax 0207 973 3366

E-mail Message

From: HOULTON, Sophie [EX:/O=MESSAGING/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=SHOULTON]
To: TREVITT, Jessica [EX:/O=MESSAGING/OU=First Administrative Group/cn=Recipients/cn=jtrevitt]
Cc:
Sent: 20/08/2009 at 13:17
Received: 20/08/2009 at 13:17
Subject: FW: Freedom of Information request - Osborne House Conservation Plan

Jess - please see the latest message from B Taylor in response to my review letter. I have just replied thanking him for his patience and saying I will of course be monitoring. The emails will have gone straight up on the site in any case!

Sophie

Sophie Houlton
 Corporate Records Manager
 English Heritage
 Tel: 01793 414538

-----Original Message-----

From: B Taylor [mailto:request-13884-cdb764bf@whatdotheyknow.com]
Sent: 20 August 2009 12:36
To: HOULTON, Sophie
Subject: Re: Freedom of Information request - Osborne House Conservation Plan

Dear Sophie HOULTON,

Thank you for your reply and I note the contents. I will wait a little longer as you suggest.

Do you keep a watchful eye on progress?

Yours sincerely,

B Taylor

-----Original Message-----

Dear B Taylor,

Thank you for your email of 17 August requesting an internal review in relation to the handling of your Freedom of Information request. I am responsible for carrying out internal reviews where matters of procedure are concerned and am therefore replying in this capacity.

To summarise: you initially requested the information about Osbourne House on 30 June 2009. Your request was acknowledged on 1 July. You wrote to us again on 30 July pointing out that the request was now overdue and offering to break the timeframe into two. Jessica Trevitt responded to your message, accepting your offer and stating that she hoped to get back to you with at least a partial response in the w/b 10 August. You wrote to us again on 13 August pointing out that a response had not been received and expressing concern over a lack of communication in this regard. Jessica responded to you again on 17 August.

Having reviewed the chain of correspondence and the timescales involved, I have to agree with you that, on this occasion, we have not met the 20 working day deadline set out in the Freedom of

information Act. The simple reason for this has been the sheer number of FOI requests that we have received over the last 2-3 months. Despite the input of additional resource, it has not been possible to process all of them to time and I am sure you will appreciate that we wish to continue to give high quality responses to all requests received.

I realise that the delay will be very frustrating for you but can assure you that your request is a top priority and that we hope to be able to respond to you by the end of next week. I can also assure you that we are keeping the FOI situation as a whole under review at this time and are doing everything we can to catch up with outstanding requests. I do hope that you will be able to bear with us for a few more days.

I also understand your point that, when your request became overdue, you may have expected an email from us setting out the likely response time. This has not usually been necessary in the past as we have not normally had a problem responding to requests on time. However, I do take your point in relation to this matter and will ensure that our procedures are reviewed accordingly.

If you are not content with the outcome of this internal review you have the right to apply directly to the Information Commissioner for a review. The Information Commissioner can be contacted at:

The Information Commissioner's Office Wycliffe House Water Lane
Wilmslow Cheshire SK9 5AF

Yours sincerely

Sophie Houlton Corporate Records Manager English Heritage

Sophie Houlton Corporate Records Manager English Heritage Tel:
01793 414538

Please use this email address for all replies to this request:
request-13884-cdb764bf@whatdotheyknow.com

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<http://www.whatdotheyknow.com/help/about#officers>

If you find WhatDoTheyKnow useful as an FOI officer, please ask your web manager to suggest us on your organisation's FOI page.

E-mail Message

From: WAHDAN, Tracey [EX:/O=MESSAGING/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=T1WAHDAN]
To: TREVITT, Jessica [EX:/O=MESSAGING/OU=First Administrative Group/cn=Recipients/cn=jtrevitt], DUNNE, Gemma [EX:/O=MESSAGING/OU=First Administrative Group/cn=Recipients/cn=g1dunne]
Cc: QUELCH, Frances [EX:/O=MESSAGING/OU=First Administrative Group/cn=Recipients/cn=FQuelch], REEVE, Tim [EX:/O=MESSAGING/OU=First Administrative Group/cn=Recipients/cn=Tireeve]
Sent: 19/08/2009 at 15:00
Received: 19/08/2009 at 15:00
Subject: RE: Information requests concerning Osborne House Conservation Plan (refs: FOI 09/1180 & FOI 09/1234)

Jessica

Thanks for the advice. As discussed previously I would prefer the documents not to be sent but if you believe that they should, then you must make sure that they go out with a big 'health warning' attached saying that this plan was never adopted and therefore has no official status as far as we are concerned.

Tracey

-----Original Message-----

From: TREVITT, Jessica
Sent: 19 August 2009 12:52
To: WAHDAN, Tracey; DUNNE, Gemma
Cc: QUELCH, Frances
Subject: FW: Information requests concerning Osbourne House Conservation Plan (refs: FOI 09/1180 & FOI 09/1234)
Importance: High

Dear Tracey,

Thank you for ringing me yesterday. I can understand your concerns about the Plan and background communications being taken out of context. Indeed it's something that I had been conscious of and appreciate. The file that I have here contains approximately an inch worth of paperwork that is relevant to the request. While I could scan it for you to view I'm aware that any file would be large. That said, I'll happily send you copy if you wish - maybe Gemma could let me know if she feels it is required.

Having looked at the file (which covers the period 1999-2001) it does not seem that any decisions were made over that period. Those involved expressed concerns over various aspects of the draft Plan and there seemed to be a consensus that it needed considerable work if it were to be adopted. There does not seem to be a particular focus on the recommendations, management policies or scope but this may have come later. I am assuming that additional documentation was produced

post-2001 as Mr Taylor seems to have an interest in and some knowledge of the subject and has asked for the period 1998-2005. It is unfortunate that documentation concerning the later period cannot be located and therefore considered in response to this request. You said that you are not aware of any.

There are not, as far as I am aware, any immediate plans to produce another Plan. If this is correct, and please correct me if I'm wrong, the age of the documentation and the fact that any future Plan would start afresh and not be based on the draft OHCP at all (although the historical research which has already been made available may be re-used?) makes it, in my view, difficult to defend a position of non-disclosure. In order to withhold information we have to argue that there is a public interest in non-disclosure. There is a presumption in favour of release. Although information can be withheld if its incomplete the draft does not seem 'incomplete' to me as any future OHCP would be started a fresh and so it is as 'complete' as it will ever be; the internal discussions will start from the beginning as well. There is also a public interest in the transparency of the decision-making process and awareness that the Plan was never adopted.

If however, we were in the position of reconsidering the Plan (or will be shortly) we may be able to argue that disclosure (of the draft Plan and associated discussions) would be potentially misleading and that this is not in the public interest. It is important that we are able to discuss things freely and frankly and without pressure from outside parties; disclosure of the Plan/discussions at such a stage may have the potential to adversely affect this.

Please let know your views on this. If we do decide to release the information I will, of course, reiterate that the Plan has no formal status and that any future Plan would have to take account of the Conservation Principles and therefore be very different to the previous draft OHCP.

Thanks again. I'm happy to discuss.

Best wishes,

Jess

Jessica Trevitt | Access to Information Manager

English Heritage | Mezzanine Floor |

Isambard House | Swindon | SN2 2GZ

Tel: 01793 41 4539

-----Original Message-----

From: TREVITT, Jessica

Sent: 17 August 2009 16:49

To: WAHDAN, Tracey; PORTER, Roy

Cc: DUNNE, Gemma; QUELCH, Frances
Subject: FOI requests concerning Osbourne House Conservation Plan (refs: FOI 09/1180 & FOI 09/1234)
Importance: High

Dear Tracey,

I have received two Freedom of Information requests concerning the Osbourne House Conservation Plan which I understand has not been formally agreed. I have one request (from Mr B Taylor) for all communications dated 1999-2005 concerning the OHCP . Although I have mentioned the names of the requestors all information that is disclosed under FOI is publicly available and so that should not affect our replies. The names are simply for information. It would be most helpful if you could let me know if you:

1. are you aware of any correspondence concerning the development of the OHCP post 2001 as that is the date at which the file that I have ends and if so who should I contact to find it;
2. have any concerns about the disclosure of the internal correspondence;

As this request is being handled under the FOI Act any decision to withhold information that has been requested has to be justifiable as responses can be challenged. Once I have an idea of any concerns you have over compiling fully with the requests I will be better able to consider which, if any, exemptions are applicable. I am happy to withhold information if it is appropriate.

Unfortunately, the timeframe for responding is tight and so I really need a reply by the end of this week.

Many thanks for your help. I am more than happy to discuss.

Best wishes,

Jess

Jessica Trevitt | Access to Information Manager

English Heritage | Mezzanine Floor |

Isambard House | Swindon | SN2 2GZ

Tel: 01793 41 4539

TREVITT, Jessica

From: BARTON, Henry
Sent: 07 October 2009 15:28
To: TREVITT, Jessica
Subject: FW: Osborne House Conservation Plan - FOI 09/1180

Jessica

This is the only email I have in connection with the enquiry

Regards

Henry

Henry Barton
Head of Visitor Operations
Osborne House
Direct line: 01983 203053
Mobile: 07785531371

-----Original Message-----

From: BARTON, Henry
Sent: 31 July 2009 13:28
To: WAHDAN, Tracey
Subject: FW: Osborne House Conservation Plan - FOI 09/1180

Tracey

After speaking with Roy Porter regarding this enquiry he sensibly suggested that I forward it to you. I confirm that I have only contacted Roy regarding this enquiry and the only conversation with Jessica Trevitt was to ask her to forward her request to me via email.

Regards

Henry

Henry Barton
Acting Head of Visitor Operations
Osborne House
Direct line: 01983 203053
Mobile: 07785531371

-----Original Message-----

From: TREVITT, Jessica
Sent: 30 July 2009 17:16
To: BARTON, Henry
Cc: QUELCH, Frances
Subject: Osborne House Conservation Plan - FOI 09/1180

Dear Henry,

Further to our phone conversation earlier today I attach the Freedom of Information request

08/10/2009

I referred to. While we have found one file which covers the period 1998-2002 I am currently without information for the 2002-2005 period. Can you help at all? Although we have information for the earlier period anything that you have for that would be good as well (we can then disregard any duplicates). I also wondered, as I said on the phone, if you could give the request some context? Are there, for example, plans to update the Plan at all? This last point isn't relevant to the request but simply to aid our understanding.

Many thanks,

Jess

PS – I am on leave all week (3-7 Aug) so please can you 'reply to all' so that Fran can get the request moving in my absence.

Jessica Trevitt | Access to Information Manager
English Heritage | Mezzanine Floor |
Isambard House | Swindon | SN2 2GZ
Tel: 01793 41 4539