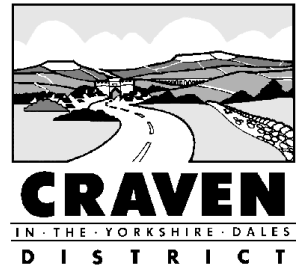


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Mr Bart Joseph
[request-390032-
ba4010c5@whatdotheyknow.c
om](mailto:ba4010c5@whatdotheyknow.com)

From: Freedom of Information Officer

Our ref: IR 2017-020

9 March 2017

Dear Mr Joseph,

On 22 February 2017, you sought an internal review of a recent decision given by the Council concerning your request for information about the ownership of the Canal Basin in Skipton.

The following describes the circumstances relating to your original request, the Council's decision, and the outcome of the internal review that has been undertaken.

The request for information

On 16 February 2017, you wrote to the Council as follows:

I write in reference to this article:

http://www.cravenherald.co.uk/news/15093081.Craven_Refugee_Support_Group_quot_bemused_quot_by_Craven_District_Council_veto_on_planned_Skipton_canal_basin_rally/?ref=mr&lp=9

1. Do Craven District Council actually own the canal basin (or any part of it, most specifically the one referred to in this article) or do you hold it in trust or neither?

2. If you do own it please provide recorded proof of ownership.

I don't like these marches as I think the world is plenty big enough not to cram everyone in to certain places whilst leaving vast parts of the world fairly deserted, but I don't see what authority you have to stop these protests.

The Council's original decision

A reply was sent to you on 22 February 2017. The reply explained that the information that had been requested was already within the public domain, and you

were provided with a link to the Council's website resources providing this information.

The information that was supplied provided a link to the Council's on-line maps which includes the Canal basin amongst the Council's property assets.

Your request for an internal review

On 22 February 2017, you requested an internal review of the above decision, and said:

I feel we are getting in to the usual Craven DC wordsmithery here. I didn't ask about "assets".

I asked this:

1. Do Craven District Council actually own the canal basin (or any part of it, most specifically the one referred to in this article) or do you hold it in trust or neither?

Your response does not answer this for me. Please state if you own/hold in trust or neither of those for the canal basin and rest of the canal.

2. If you do own it please provide recorded proof of ownership.

Conduct of Internal Reviews of decisions

This internal review has been conducted in accordance with the Code of Practice under Section 45 of the Freedom of Information Act ('the Act'). The Code of Practice requires public authorities to conduct a full re-evaluation of the case, taking into account the matters raised by the investigation of the complaint raised by the applicant.

The Information Commissioner's Office (ICO) is the regulator of matters relating to the Act, and has published guidance on the handling of requests for information and on the handling of complaints or requests for internal review. This guidance is published on the ICO's website:

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

The internal review

As you have indicated that you were dissatisfied with the original decision, the reviewing officer has carefully considered your original request, and the decision that was sent to you on 23 February 2017.

Issues arising

The question to be considered is whether the response that was given fulfilled the Council's obligations under the Act. Under the Act, an individual is entitled to receive

(subject to certain exemptions), confirmation or not as to whether a public authority holds the information requested. The public authority is not obliged to provide answers in relation to questions, although may do so, but this is outside the requirements of the Act. Nor is a public authority required to provide copies of documents.

Decision following Internal Review

In this case, the Council have confirmed that it owns the Canal Basin in Skipton, as this is listed in the Council's lists of assets, which is published on the Council's website. The boundary of the Canal Basin was detailed in the on-line map, the link to which was provided in the original reply. The reviewing officer considers that information constitutes recorded proof of ownership as it is published on the Council's website, and is all that is necessary to discharge the Council's obligations in relation to this particular request.

The reviewing officer considers that the Council has answered the original request, and that it is not necessary to produce any further information. If you still doubt the Council's proof of ownership, it is open to you to apply to the Land Registry:

<http://www.landregistry-service.com/>

Your rights following the internal review

If you are not satisfied with the outcome of the internal review, you may apply direct to the Information Commissioner's Office for a decision. The Information Commissioner's Office can be contacted at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. There is a link to the ICO's website above.

Yours sincerely,

Freedom of Information Officer
Craven District Council