



Name: David Windham
By email: request-581675-d9d0847b@whatdotheyknow.com

Network Rail
Freedom of Information
The Quadrant
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4 July 2019

Dear Mr Windham

Information request
Reference number: FOI2019/00641

Thank you for your email of 8 June 2019, in which you requested the following information:

In light of this Fol request, I believe that an additional landowner, CLAYGATE DISTRIBUTION LTD (A & M Streek), owns some of the land on which this proposed car park extension will be sited. Therefore, please send me any correspondence, minutes and notes between this additional landowner/proposer, and Network Rail, in regards to the extension of this mainline railway station (MRN) and adjacent carpark.

Please send me all such communications between 1st January 2018 and today's date.

I have processed your request under the Environmental Information Regulations 2004 (EIR) as this type of information is environmental according to the definition in regulation 2(c) of the EIRs; this is because the information concerns a measure affecting the environment.¹

We have searched our records and I can confirm that we do not hold the information that would address your request². To explain, there has been no correspondence between Network Rail and *Claygate Distribution* Lt in regard to the extension of this mainline railway station (MRN) and adjacent carpark.

¹ Section 39 of the Freedom of Information Act 2000 (FOIA) exempts environmental information from the FOIA and requires us to consider it under the EIR.

² Strictly speaking, regulation 12(4)(a) of the EIRs requires that we carry out a public interest test to determine whether the requested information should be disclosed. However, as is recognised by the Information Commissioner's Office, it is obviously not possible to conduct a public interest test on disclosure when the information that has been requested is not held.

I am sorry that we cannot assist further with your enquiry. If you have any enquiries about this response, please contact me in the first instance at FOI@networkrail.co.uk or on 01908 782405. Details of your appeal rights are below.

Please remember to quote the reference number at the top of this letter in all future communications.

Yours sincerely

Joanne West
Information Officer

Appeal Rights

If you are unhappy with the way your request has been handled and wish to make a complaint or request a review of our decision, please write to the Head of FOI at Network Rail, Freedom of Information, The Quadrant, Elder Gate, Milton Keynes, MK9 1EN, or by email at FOI@networkrail.co.uk. Your request must be submitted within 40 working days of receipt of this letter.

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

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