

Our Ref: IR 20/21

Address Correspondence to: Jane Orange, Information Governance

Date: 13th October 2021

Dear Mr Compton,

Request Under Freedom of Information Act 2000 Internal Review

I am writing to you in relation to your recent and previous correspondence under the Freedom of Information Act 2000. In particular this letter is in relation to your request for an Internal Review to be conducted by the Canal & River Trust in relation to your initial request response.

I am employed by the Canal & River Trust as an Information Governance Advisor, and I have been asked to provide an independent review of the response provided to your request for the following information:

'A schedule of all listed buildings that have been sold (including those placed into a joint venture) by the Canal and River Trust since its inception.'

In the process of undertaking this review, I can confirm I have given consideration to:

- Your initial request, received 25/03/2021;
- The original Canal & River Trust response, provided to you on 09/04/2021 by Joshua Fellows, Information Governance Administrator;
- Your initial internal review request, received 02/05/2021;
- The Canal & River Trust response to your initial internal review, provided to you on 24/05/2021 by Hannah Mobberley, Information Governance Advisor; and
- Your further review request, which we received on 17/09/2021.

I have initially reviewed your request for validity under the provisions of the Freedom of Information Act 2000. I can confirm that I am satisfied that your request is valid under Section 8 of the FOIA and therefore requires considering as a valid request by the Canal & River Trust.

As a valid request under the FOIA, the Canal & River Trust is required to ascertain whether the requested information is within the scope of the Trust's obligations under FOIA, what, if any, information is held which is relevant to your request; and whether there are any exemptions to disclosure which are potentially engaged. If there is potential engagement of any exemptions on disclosure, then consideration of any applicable harm and/or public interest test may be required to be undertaken. All of the above areas have been considered as part of my review into this case and your response to these points.

Outcome of Review

In our initial response (and first internal review response) we withheld the information requested on the basis that it fell outside of the scope of the Trust's FOIA obligations, which are limited to statutory functions transferred from British Waterways under the 2012 Transfer Order.

As the Trust did not inherit statutory functions in relation to listed buildings under the 2012 Transfer Order, I agree that this does reflect the Trust's legal position under FOIA.

However, having discussed your request with relevant Trust colleagues, I am happy to enclose a schedule showing disposals made by the Trust since 2012 which have involved listed buildings – with disposals to Trust joint venture entities shown highlighted in yellow.

Please note some listed disposals may include a number of individual listed buildings or constitute part of a wider listing (with some listed structure or buildings retained).

Yours Faithfully

Jane Orange

Information Governance Advisor

Legal & Governance Services

T: 07766 248243

E: information.request@canalrivertrust.org.uk

National Waterways Museum Ellesmere Port, South Pier Road, Ellesmere Port, Cheshire, England, CH65 4FW

canalrivertrust.org.uk

