

Mr Edward Surridge

Our ref: WT10144

Sent by email to:

request-163905-
ad1634f0@whatdotheyknow.com

Date: 04 July 2013

Dear Mr Surridge

RE: Request for information under the Freedom of Information Act 2000 (FOIA) /
Environmental Information Regulations 2004 (EIR)

We refer to your request for information dated 4 June 2013 where you have requested
*“all pertinent information including maps on what locations are considered unsafe for
mooring due to navigation reasons within Oxford city limits on both rivers.”*

Requests for information that is recorded are generally governed by the Freedom of
Information Act 2000 (FOIA). The information you have requested is environmental and it is
therefore exempted from the provisions of FOIA by FOIA s.39(1). We have therefore
considered your request under the provisions of the Environmental Information Regulations
2004 (EIR). EIR regulation 12 allows a public authority to refuse to disclose environmental
information if an exception to disclosure applies under paragraphs (4) or (5) and in all the
circumstances of the case, the public interest in maintaining the exception outweighs the
public interest in disclosing the information. A public authority shall apply a presumption in
favour of disclosure.

Information not held:

You have requested *“all pertinent information including maps on what locations are
considered unsafe for mooring due to navigation reasons within Oxford city limits on both
rivers.”*

We do not hold a database or hold maps showing locations that are considered unsafe to
moor a vessel. Aside from mooring directly on operational structures such as weirs or locks,
there are no stretches of river bank that the Environment Agency have formally designated
as unsafe for mooring a vessel due to navigation safety reasons.

We do not hold this information therefore it is exempt under Environmental Information
Regulations 2004 (12) (4a):

A public authority may refuse to disclose information to the extent that
(a) it does not hold that information when an applicant's request is received

Please find attached the River Thames Cruising Guide for your information. Please see the
Standard Notice for details of permitted use.

In response to your email dated 7 June where you asked the following in response to the
above request:

*“Would you be able to provide a reply adding Microsoft or possibly open source files as are
commonly used by the majority of people?”*

This information available to you under EIR Regulation 5(1) does not arise because in
accordance with EIR Regulation 3(2) we do not hold the information you have requested.

The Public Interest Test:

In these circumstances it is not possible for us to consider the public interest in whether information should be disclosed, as our refusal is on the grounds that we do not hold information which would satisfy your request.

Rights of appeal

If you are not satisfied with our response to your request for information, you can contact us to ask for our decision to be reviewed. If you are still not satisfied following this, you can make an appeal to the Information Commissioner, who is the statutory regulator for Freedom of Information. The address is: Office of the Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF .

Tel: 01625 545700.

Fax: 01625 524 510.

E-mail: mail@ico.gsi.gov.uk.

Website: <http://www.informationcommissioner.gov.uk>

Yours sincerely

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