

Joseph F L Scaife
BY EMAIL
request-24370-d25acd16@whatdotheyknow.com

Please quote: JBFOIA
Direct line: 01626 831031

17 December 2009

Dear Mr Scaife

Information Request – Freedom of Information Act 2000

Thank you for your email received 8 December 2009. I have been instructed to supervise the discharge of the Authority's responsibilities in this matter.

The right under the Freedom of Information Act to request official information held by public bodies is subject to certain restrictions and exemptions. The Authority is under a legal duty to deal with your application in accordance with the legislation and in particular to provide a response as soon as practicable, and in any event no later than 20 days after the day upon which a valid request is received.

The enclosed Decision Notice sets out the Authority's response to your Freedom of Information Act request, together with a statement of reasons for the decision. It also includes a summary of your rights if you are aggrieved by the Authority's decision.

Yours sincerely,

Janet Biles
Office Manager
email: jbiles@dartmoor-npa.gov.uk

DARTMOOR NATIONAL PARK AUTHORITY



Freedom of Information Act 2000

DECISION NOTICE

Applicant: Joseph F L Scaife

Subject of request: Information relating to the cost to Dartmoor National Park Authority, over the last five years, of ensuring public access to the Teign Valley Woods. To include Ranger's time, signage and any payments to landowners.

Date received: 8 December 2009

DECISION

1. Duty to Confirm or Deny

The Authority confirms that it holds information relating to public access to the Teign Valley Woods. In particular:

- A committee report presented to the Dartmoor National Park Authority Meeting on 7 December 2007 for approval of an Access Agreement Relating to Woodlands in the Teign Valley.
- Information relating to payments made under the Access Agreement from December 2007 to date.
- Information in relation to materials and work carried out by contractors since the approval of the Access Agreement in December 2007.
- Copy of the Devon County council definitive map and statement of public rights of way

2. Disclosure

The Authority furnishes herewith part of the information requested.

- Teign Valley Access Agreement payments from December 2007

Date	Payment
March 08	£1500
Sept 08	£1500
Sept 09	£3000

- Information in relation to materials and work carried out by contractors since the approval of the Access Agreement in December 2007

16/03/2009	Fingerposts	£188.87
01/09/2008	Signs	£132.50
21/10/2008	Acrylic panel	£64.00
31/03/2008	Hardwood waymarkers	£197.50
31/03/2008	Info board frames	£593.37
31/03/2008	Fingerposts and signs	£1,201.67
31/03/2008	Outdoor graphics	£390.48
02/04/2008	Sawn timber	£106.20
	2 gates & fixings	£160.00
18/03/2009	Surface works to public right of way Moretonhampstead FP 8.	£2,096.00
	Total	£5,130.59

Dartmoor National Park Authority is responsible for the maintenance of public rights of way within the national park under a delegated agreement with Devon County Council. Moretonhampstead Footpath No. 8 is the only public right of way within the Teign Valley Woodlands and details of all maintenance and inspection relating to this path is appended to this letter.

3. Non-Disclosure

In pursuance of section 21 of the Act (*information accessible by other means*) the Authority declines to furnish copies of part of the information requested, as being exempt information, in particular:-

- Reports & Minutes of public meetings of the Authority

The Authority also declines to furnish the following information:

- The costs associated with Ranger Service time

REASONS

The right under the Freedom of Information Act to request official information held by public bodies (the "*right to know*") is subject to certain statutory restrictions and exemptions.

Section 21 of the Act provides an absolute exemption from the *right to know* where the information requested:-

- belongs to another public body and is available from that body; or
- is already published by the public body in accordance with an approved publication scheme

The Authority believes that the following documents are readily accessible by other means:-

- Reports and minutes of public meetings of the Authority

Section 84 of the Freedom of Information Act 2000 defines information for the purposes of the Act and requests under the Act as information recorded in any form. There is no obligation or duty on Authorities to create new information to respond to requests.

Information relating to the cost of Ranger Service time on specific projects, activities and areas of work is not separately recorded by the Authority. The Authority confirms that there has been an element of Ranger Service time for the installation of field furniture on the land and for carrying out annual path checks. However, this work is undertaken within contracted working hours as a part of the normal duties of the Ranger Service

The Authority therefore does not hold and is not in a position to release any information about the costs associated with Ranger Service time on the land.

In reaching its determination the Authority has taken account of guidance published by the Information Commissioner and in particular Awareness Guidance No.1 and No.3 – The Public Interest Test; Awareness Guidance No.6 – Information Accessible by Other Means; and Awareness Guidance No.21 – Duty to Confirm or Deny

YOUR RIGHTS

Section 1 of the Freedom of Information Act gives you the right to know whether or not information is held by the Authority and the right to have that information communicated to you in a comprehensible form. A request for information under the Act must be dealt with before the expiry of the 20 day period starting on the day after a valid request is received and the appropriate fee is paid.

If you are aggrieved by the Decision and/or by the way you have been treated by any Officer of the Authority you should put your complaint in writing, marked “*Private and Confidential - Complaint*” to The Chief Executive (National Park Officer) Dartmoor National Park Authority, Parke, Bovey Tracey, Newton Abbot, Devon. TQ13 9JQ.

You can complain to the Information Commissioner on any of the following grounds:

- failure to provide the information you requested
- failure to respond to your request within 20 working days (or failure to explain why longer than 20 working days is needed)
- failure to give you proper advice and assistance
- failure to give information in the form in which you requested it
- failure to properly explain any reasons for refusing the request
- failure to correctly apply an exemption under the Act

The Information Commissioner recommends that firstly, you should complain directly to the public authority itself. Only if the authority has no complaints procedure, or if you

do not believe it has dealt with your complaint properly, should you contact the Information Commissioner. You should do this as soon as possible and in any case within two months following the final response of the public authority.

FOI/EIR Complaints Resolution
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF