

From: EIR Compliance

To:

Subject: 20260513 – EIR – Internal review response

Date: 13 May 2026 16:42:00

Attachments: EIR – External correspondence.docx

Top Withens .doc

Top Withens Report_Redacted (1).pdf

13958-H-RP-070-R1 –Top Withins (Stanbury Moor)_Redacted.pdf

Reference Number: EIR

Dear Lydia Mackinnon,

We refer to your email dated the 9 March 2026, which you clarified on the 13 March 2026 that you were requesting an internal review in relation to the information provided to you in our response to EIR.

We logged your internal review reference as EIR for this case.

Original request EIR

We received your request for information on 5 January 2026 and recorded this as EIR:

"I would like to see any information you hold regarding Top Withens, in particular."

1. *Reports on the structural condition of the building.*
2. *Information regarding the restoration of the building including internal discussion notes.*
3. *Information regarding the de-listing of Top Withens including internal discussion notes.*
4. *Correspondence between Yorkshire Water and the Brontë Society/Brontë Parsonage Museum regarding Top Withens.*
5. *Correspondence between Yorkshire Water and City of Bradford Metropolitan District Council regarding Top Withens.*
6. *Correspondence between Yorkshire Water and English Heritage*
7. *Press releases from Yorkshire Water regarding Top Withens."*

Our response to EIR

We responded on the 27 February 2026 to advise:

" Reports on the structural condition of the building

The data protection team have conversed with the business and have established we do not hold any of the requested data. As such for the purposes of paragraph 12(4) 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.

Information regarding the restoration of the building including internal discussion notes

The data protection team have conversed with the business and have established we do not hold any of the requested data. As such for the purposes of paragraph 12(4) 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.

Our records only go back to 2009. As such for the purposes of paragraph 12(4) 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.

Information regarding the de-listing of Top Withens including internal discussion notes

The data protection team have conversed with the business and have established we do not hold any of the requested data. As such for the purposes of paragraph 12(4) 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.

Correspondence between Yorkshire Water and the Brontë Society/Brontë Parsonage Museum regarding Top Withens

The data protection team have conversed with the business and have established we do not hold any of the requested data. As such for the purposes of paragraph 12(4) 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.

Correspondence between Yorkshire Water and City of Bradford Metropolitan District Council regarding Top Withens

The data protection team have conversed with the business and have established we do not hold any of the requested data. As such for the purposes of paragraph 12(4) 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.

Correspondence between Yorkshire Water and English Heritage

The data protection team have conversed with the business and have established we do not hold any of the requested data. As such for the purposes of paragraph 12(4) 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.

Press releases from Yorkshire Water regarding Top Withens

Press releases regarding Top Withens in the last five years are contained in the below link. All Yorkshire Water press releases are publicly available on our website.

<https://www.yorkshirewater.com/news-media/news-articles/2025/yorkshire-water-proud-to-support-bradford-2025-s-wild-uplands/>

Our response to your internal review EIR

You contacted us on the 13 March 2026 to request an internal review of our response to EIR. On receipt of EIR, we engaged with our Land and Property Team, Media Team, Operational Team, Capital Team and Legal Team both via email and verbally to provide our previous response, as part of the internal review we re-engaged with these colleagues to understand the searches that took place.

Between 1974 and 1989, responsibility for water and sewerage services rested with the Yorkshire Water Authority. Yorkshire Water Services Ltd was only incorporated following privatisation in 1989 and did not exist prior to that date. Accordingly, any records from 1974 to 1989 would relate to the former Authority rather than Yorkshire Water as it exists today. In addition to this, based on enquiries with relevant teams, we understand we do not hold records relating to Top Withens prior to 2009. On this basis, the “*no information held*” exception that was applied to this timeframe has been upheld at internal review.

Please find our updated response to EIR below:

1. Reports on the structural condition of the building.

At internal review we have overturned the exemption no data held please find attached the reports held.

Personal data within the attached reports has been withheld under the Environmental Information Regulations 2004, in accordance with Regulation 13, information has been redacted where it constitutes personal data relating to individuals other than the applicant and where disclosure would contravene the data protection principles set out in the UK GDPR and

Data Protection Act 2018. While we aim to provide as much information as possible, we are required to balance transparency with our obligation to protect individuals' personal data.

Some further cost information has been withheld from the reports under Regulation 12(5)(e) of the Environmental Information Regulations 2004, which permits refusal where disclosure would adversely affect the confidentiality of commercial information. The withheld material relates to cost information, this is commercially sensitive as it reflects pricing structures and financial arrangements that are not publicly available. Disclosure would be likely to prejudice Yorkshire Water's commercial position, including its ability to negotiate effectively with contractors and could also adversely affect the commercial interests of third parties. We have considered the public interest in transparency regarding environmental expenditure. However, we believe this is outweighed by the public interest in protecting commercially sensitive information.

Please note that these reports set out proposed maintenance works at the time they were produced however, they do not confirm that such works were completed, progressed or remain applicable following subsequent surveys. As a company responsible for managing a large and complex estate, we continually review and prioritise our investment, with budgets and plans regularly updated to reflect changing needs and risks. We fully recognise the importance of Top Withens to the local community and its cultural significance and we must carefully balance this against other competing priorities across our estate to ensure that available resources are directed where they are most needed.

2. Information regarding the restoration of the building including internal discussion notes.

Our original searches were carried out both electronically and through a review of available paper records, using variations of the site name including "Top Withens", "Top Withen", "Top Within" and "Top Withins", recognising that it is sometimes recorded differently.

As part of both the initial request and the internal review, relevant paper archive documentation was also physically examined, including the remaining documentation to a previous framework partner (Thompsons), who we understand undertook earlier works. However, no paper records relating to the restoration works were identified.

During the internal review process, our electronic searches located some information in the form of internal discussion notes. We consider that this information falls within Regulation 12(4)(e) of the Environmental Information Regulations 2004, which applies to internal communications. These notes consist of internal exchanges between staff, including preliminary views and deliberations used to help shape our approach to Top Withens. We recognise the importance of openness and transparency and have carefully considered this as part of our response. However, there is also a strong public interest in ensuring that internal discussions can take place freely and effectively, without external pressure to support decision making. As such, we will not be disclosing the information requested.

3. Information regarding the de-listing of Top Withens including internal discussion notes.

We are upholding our previous response and the no data held exemption, the listed building status was revoked in 1992 and therefore we hold no information in relation to this, other than the confirmations in the attached reports

4. Correspondence between Yorkshire Water and the Brontë Society/Brontë Parsonage Museum regarding Top Withens.

We have overturned the previous no data held exemption and have attached information located at the internal review, please find attached.

5. Correspondence between Yorkshire Water and City of Bradford Metropolitan District Council regarding Top Withens.

We are upholding our previous response and the no data held exemption.

6. Correspondence between Yorkshire Water and English Heritage

We are upholding our previous response and the no data held exemption.

7. Press releases from Yorkshire Water regarding Top Withens.

We have not identified any additional Yorkshire Water press releases relating specifically to Top Withens. However, in the interests of providing advice and assistance, we have identified some third-party press articles available in the public domain which reference the site and may be of interest:

- Top Withens: Why ruined Yorkshire moorland farmhouse with Bronte links will not be rebuilt despite concerns it will 'disappear'
- Unpopular safety warning signs at Haworth's Top Withens ruins are to be replaced | Keighley News
- Top Withens document attached.

These articles were not issued by Yorkshire Water but may provide helpful context in relation to the site.

We recognise that the information you sought may have been held historical, please be advised is no requirement for us to retain records indefinitely and in some cases older information may no longer be held due to retention, in circumstance where these records were held locally by individual staff members who have since left the organisation or changes in systems over time.

To provide advice and assistance, in relation to Top Withens you may be able to access further information also via:

- Brontë Society/Brontë Parsonage Museum
- Bradford Council
- Pennine Prospects
- The Watershed Landscape Project
- Pennie Heritage (South Pennie Archives)

Under the Environmental Information Regulations, we can only provide information that we hold at the time a request is received. Following consultation with our Land and Property team in relation to your request we recognise your interest in the Top Withens. To support this, our Land and Property Team would be happy to engage further with you directly to discuss the site and any remaining queries you may have, if you are comfortable providing your contact details by return email for us to share on.

If you are not satisfied with the outcome of the internal review you have the right of appeal to the Information Commissioner who can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Web: <http://www.ico.org.uk>

Thank you for contacting Yorkshire Water.

Yours sincerely,

Data Protection Team

Email: EIR@Yorkshirewater.co.uk