

From: EIR Compliance

To:

Subject: 20250819 – EIR – Response

Date: 19 August 2025 14:15:00

Reference Number: **EIR**

Dear

We refer to your request for information submitted to Yorkshire Water dated 22 July 2025:

*“Copy of an abandonment certificate for a 375 mm sewer at Bridge Street, Birstall, WF179AU, dated 16th July 2021, together with any monitoring documentation”*

In regards to your request we are writing to inform you that your request for environmental information has been refused in accordance with the Environmental Information Regulations (EIR) 2004.

Regulation 12(5)(e) provides that environmental information does not have to be disclosed where disclosure would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest. In considering your request the nature of the information a S116 certificate relates to commercial arrangements between Yorkshire Water and the Developer. The restriction in relation to the disclosure of information obtained by virtue of the provisions of the Water Industry Act 1991 (“WIA”) is set out in S206 WIA. The restriction contained in S206 WIA provides, insofar as is material that *“no information with respect of any particular business which (a) has been obtained by virtue of any of the provisions of this Act; and (b) relates to the affairs of any ... particular business, shall ... so long as that business continues to be carried on, be disclosed without the consent of ... the person for the time being carrying on that business.”*

Regulation 12(5)(e) enables us to withhold information provided the public interest in withholding it outweighs the public interest in it being disclosed. There is also a presumption in favour of disclosure. We have considered the public interest in withholding and disclosing the information. We recognise that there is a public interest in transparency and accountability and also promoting understanding of environmental issues. Against this we have weighed the public interest in complying with the provisions of the WIA and not unlawfully breaching the same. We have also considered that our customers would expect Yorkshire Water to comply with the provisions of the WIA. We have concluded that on balance the public interest in this information being withheld is greater than in it being disclosed.

With regards to the monitoring information requested for the period of the 15<sup>th</sup> – 16<sup>th</sup> July 2021, in consulting with the business, we have been able to establish we do not hold the information you require. As such for the purpose of EIR we applied exemption 12(4)(a), a public authority may refuse to disclose information to the extent that it does not hold that information when an applicant's request is received.

We trust that the provision of this data satisfies your request. In accordance with the Environmental Information Regulations 2004, if you are not satisfied with this reply to your request you can ask for an internal review. A request for an internal review must be submitted within 40 working days by contacting the Data Protection Team.

Thank you for contacting Yorkshire Water.

Yours sincerely,

Data Protection Team

Email: [EIR@Yorkshirewater.co.uk](mailto:EIR@Yorkshirewater.co.uk)