

## **Environmental Information Regulations 2004 (EIR)**

### **Decision notice**

**Date:** 4 October 2024

**Public Authority:** United Utilities Water Limited

**Address:** Lingley Mere Business  
Park Lingley  
Green Avenue  
Warrington  
WA5 3LP

#### **Decision (including any steps ordered)**

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1. The complainant requested information from United Utilities Water Limited (the public authority).
2. The Commissioner's decision is that the public authority breached regulation 5(2) of the EIR by failing to respond to the request within 20 working days.
3. The Commissioner does not require further steps to be taken.

#### **Background**

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4. This request was made as a follow-up to information disclosed by the public authority in a previous request. The original request asked for 14 years of water flow data for Esthwaite Lodge Pumping Station.

## Request and response

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5. On 29 July 2024, the complainant made the following request for information to the public authority:

“In relation to the telemetry data I have received from you for Esthwaite Lodge Pumping Station, I am wondering if you can offer clarity on the alarm code NP1.NPS 1 Wet Well 1.Spill 1.LX\_SPILL. Please can you tell me its function and interpretation?”

6. The public authority responded on 18 September 2024.

## Scope of the case

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7. The complainant has confirmed that they are happy with the information they have now received, but wish to have the late response formally recorded.

## Reasons for decision

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8. Regulation 5(1) of the EIR states that:

“a public authority that holds environmental information shall make it available on request.”

9. Regulation 5(2) of the EIR states that:

“Information shall be made available under paragraph (1) as soon as possible and no later than 20 working days after the date of receipt of the request.”

10. From the evidence provided to the Commissioner in this case, it is clear that the public authority did not deal with the request for information in accordance with the EIR. The Commissioner’s decision is that the public authority has breached regulation 5(2) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with the EIR.

## **Right of appeal**

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11. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

12. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Catherine Fletcher**  
**Team Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**