

Andrew Clarke  
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**Our ref:** SSD402292HF  
**Date:** 04 April 2025

Dear Andrew Clarke

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

We refer to your request for the following information as detailed in your email 05 March 2025.

- Do the EA have any information regarding the pond adjacent to RH15 9XF/ historical flooding issues / watercourse / underground springs in the area.

We deal with requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (EIR). The Act requires that we respond to requests by advising you whether or not information is held, and if so by providing you with that information. EIR Regulation 3(2) states that information is held if it is in our possession and has been produced or received by us, or it is held by another person on our behalf at the time the request is received.

**Information not held by us**

In this case, the information you have requested which has been highlighted within the main email is not held by the Environment Agency, and we are therefore refusing your request on the grounds that there is no information we can provide.

Where a request is for environmental information, the Regulations allow us to refuse to disclose it if the exception at EIR Regulation 12(4)(a) applies. The regulation states that a public authority may refuse to disclose environmental information to the extent that it does not hold that information when an applicant's request is received.

It is not possible for us to conduct a public interest balancing test because the reason for non-disclosure is that the information is not held.

## **Rights of appeal**

If you are not satisfied you can contact us within 2 calendar months to ask for our decision to be reviewed. We shall review our response to your request and give you our decision in writing within 40 working days.

If you are still not satisfied following this, you can raise a concern with the Information Commissioner, who is the statutory regulator for Freedom of Information and the Environmental Information Regulations. The contact details are:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel: 0303 123 1113  
Website: <http://ico.org.uk>

Yours sincerely

Customers and Engagement Team

Environment Agency,  
Guildbourne House, Chatsworth Road, Worthing, West Sussex, BN11 1LD