

Case No: 945
Date Received: 20:02:2018
Topic: Internal Review on Case 930
Request
<p>I am prepared to accept that as the lessor the Crown Estate might not necessarily hold the records of gas stored by the lessee. But given the offhand way my request seems to have been dealt with I thought it worthwhile to ask whether it is possible that the Crown Estate might indeed, know what the lessee was storing in the facility you leased to them, whether it was part of your remit or not.</p> <p>The reason I ask again is because it looks to me as though Rob Hastings knew the figures, given what he told the press and then the Treasury Sub-Committee. And he was speaking as Director of Energy and Infrastructure at the Crown Estate in July 2013. Surely it is a reasonable assumption on my behalf, to assume that if he had the figures then the Crown Estate did hold the information I asked for (or something close to it). If this is not the case you will no doubt set me straight.</p> <p>Please consider this as my appeal that the Crown Estate review its response to my enquiry.</p>
Response
<p>The Freedom of Information Act entitles the requester to the information a public body holds at the time the request is made. There is no obligation placed upon a public body to create or obtain information that it does not hold in order to answer a request.</p> <p>We do not hold the information you requested and I can go further by saying that we can find no record to confirm that we held the information at that time, nor the extent to which our Director of Energy and Infrastructure had access to information from other sources. It is possible that Mr Hastings spoke metaphorically based on his personal understanding of a situation or upon publicly available information and that his comments were not based on information we held at the time.</p> <p>I am very sorry that you did not receive appropriate acknowledgment that your request was being processed, and I recognise that we should have kept you informed while our searches continued beyond the time limit laid down in the Freedom of Information Act. We take our responsibilities under the Freedom of Information Act - and the information requests we receive under that Act – very seriously, and our ongoing communication about the progress of your request was insufficient in this instance.</p> <p>On the factual matter of the review itself, I am however satisfied that you were provided with an accurate response to your request, in that we do not hold the information requested.</p>