



Department  
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Food & Rural Affairs

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**Our ref:** RFI 8181

**Date:** 11 April 2016

**REQUEST FOR INFORMATION: Correspondence concerning the Court of Appeal case of Rochdale Borough Council -v- Dixon [2011] EWCA Civ. 1173**

Thank you for your request for information, which we received on 9 March 2016, about the Court of Appeal case of Rochdale Borough Council -v- Dixon [2011] EWCA Civ. 1173. We have handled your request under the Freedom of Information Act 2000 (FOIA).

There is no record of a letter from the Secretary of State, but we can provide the attached:

- A letter from Defra sent in February 2013 stating that Rochdale Borough Council was acting as a water reseller.

We have decided that all personal information contained in this letter should be withheld under sections 40(2) and 40(3)(a)(i) of the FOIA, as the information constitutes personal data relating to persons other than you. These sections provide that personal data relating to other persons is exempt information if disclosure would breach any of the data protection principles in the Data Protection Act 1998 (DPA). We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data. Disclosure would not constitute 'fair' processing of the personal data because the parties could not reasonably have expected their details to have been made public.

Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on [GOV.UK](http://GOV.UK), together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

We attach Annex A, which explains the copyright that applies to the information being released to you.

We also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact me.

Yours sincerely,

**Defra FOIA and EIRs Team**

[InformationRequests@defra.gsi.gov.uk](mailto:InformationRequests@defra.gsi.gov.uk)

## **Annex A**

### **Copyright**

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## **Annex B**

### **Complaints**

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Nick Teall, Head of Information Rights, Area 4C, Nobel House, 17 Smith Square, London, SW1P 3JR (email: [InformationRequests@defra.gsi.gov.uk](mailto:InformationRequests@defra.gsi.gov.uk)) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF