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Information Tribunal to rule on whether the Duchy of Cornwall is subject to environmental information regime

The Information Tribunal will rule on whether the Duchy of Cornwall is covered by the Environmental Information Regulations. The case was brought by Michael Bruton, a resident of Port Navas, Falmouth, Cornwall. Mr Bruton is a member of the Port Navas Quay Preservation Committee and the case before the Information Tribunal follows a long running battle to extract environmental information from the Duchy. The Duchy is permitting non native oyster cultivation and dredging which could cause environmental damage to the Helford River located in a Special Area of Conservation (SAC). The Helford River is within an Area of Outstanding Natural Beauty (AONB) and includes a Site of Special Scientific Interest (SSSI).

The case was heard in London over two days, on 20 and 21 September with oral evidence given by the Duchy's Secretary and Keeper of the Records Mr WRA Ross CVO. It was argued by counsel for the Duchy that "the Duchy is not democratically accountable in any meaningful sense." It was argued by counsel for Mr Bruton that the Duchy which owns over 54,000 ha of land, including most of the Isles of Scilly, 1,700 ha of woodland, 2580 km of coastline and most of Cornwall's rivers as well as some in Devon, must be bound by the Environmental Information Regulations.

Mr Bruton was represented by barristers Karen Steyn and Joe Barrett of Kings' Bench Walk and Kate Harrison of Harrison Grant Solicitors.

Michael Bruton

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