Environmental Information Regulations Request E0009509

Dear XXXXXXXX

Thank you for your information request of 27th November. You requested the following information:

Details of correspondence (emails, letters) and meetings (agendas and minutes) between Ministers, and senior civil servants and

- Canadian government ministers and senior civil servants, including the Canadian Ambassador to the UK;
- Albertan Ministers and senior civil servants;
- Senior executives from BP, Shell, Eni, Total, Suncor and Syncrude;
- Senior executives from Europia and / or OGP;
- Commissioner Connie Hedegaard and / or members of her cabinet at the European Commission.

Concerning the tar sands / oil sands and the Fuel Quality Directive since 21 March 2012.

Since the information we hold falls within the definition of ‘environmental information’ as set out in Regulation 2 of the Environmental Information Regulations 2004 (‘the EIRs’), your request has been considered under the EIRs.

Further to the letter of Andrew Ihonor on December 27th extending the deadline for reply I am writing to confirm that the Department has now completed its search for the information you requested. Whilst Mr Ihonor’s extension letter noted that we were considering your response under the Freedom of Information Act, we now believe it is more appropriate to consider your request under the EIRs.

The Department does hold the information you requested but following careful consideration, I can inform you that we have decided not to disclose some of this information.

Information being released
A copy of the below information is attached to this correspondence:
<table>
<thead>
<tr>
<th>Item</th>
<th>Originator</th>
<th>Information for release, and date information created</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Department for Transport (DfT)</td>
<td>11th July: A letter from Parliamentary Under Secretary of State Norman Baker to Commissioner Connie Hedegaard of DG Clima (annex A).</td>
</tr>
<tr>
<td>2</td>
<td>DfT</td>
<td>15th August: Extract from a meeting note summarising a meeting between Rt Hon Justine Greening and Alison Redford, Premier of Alberta (annex B).</td>
</tr>
<tr>
<td>3</td>
<td>DfT</td>
<td>15th Oct: Extract of a meeting note summarising a meeting between Parliamentary Under Secretary of State Norman Baker and Commissioner Connie Hedegaard of DG Clima (annex C).</td>
</tr>
<tr>
<td>4</td>
<td>DfT</td>
<td>30th Oct: Extract from a letter from Parliamentary Under Secretary of State Norman Baker to Commissioner Connie Hedegaard of DG Clima (annex D).</td>
</tr>
</tbody>
</table>
| 5    | DfT and the Canadian High Commission | 20th Nov: Extract from a chain of e-mails establishing a meeting between DG Lucy Chadwick and Deputy High Commissioner of Canada, Susan Gregson (and Minister Counsellor Brian Parrott) (annex E).  
22nd Nov*: Extract of a meeting note of said meeting (annex F). (Note: the third bullet in the document summarises the comments of the Canadian official Brian Parrott, referenced further down the e-mail chain.) |
| 6    | DfT        | 20th Dec*: Extract of a meeting note summarising meeting between Rt Hon Patrick McLoughlin and the Canadian High Commissioner Gordon Campbell (and the Minister Counsellor, Brian Parrott) (annex G). |
| 7    | DfT        | List of meetings that have occurred which match your request (annex H). |

The names of all Departmental junior staff, that is staff below the Senior Civil Service, are being withheld from the documents in accordance with Regulation 13(1)&(2)(a)(i) – ‘Personal Data’, of the EIRs.

A number of these documents (items 2, 3, 4, 5 and 6) contain information that does not fall within the scope of your request. Where this occurs the extraneous information has been removed, and the omission marked as follows: [XXXX].

You will note that we have included information that falls outside of the scope of your original request (in that the date at which item 7 was issued is after the date you submitted your request to the Department).

**Information being withheld**
Some of the information requested is being withheld as it falls under exception 12(5)(a) of the EIRs, because its disclosure would adversely affect international relations. This information is contained in item 6 of the above table. Where information is being redacted this is marked in the document as follows: [--].
The attached annex to this letter set out the terms of exception 12(5)(a) in full.

In applying this exception we have had to balance the public interest in withholding and releasing information pertaining to the diplomatic activity of the UK and other countries. The key public interest factors for and against disclosure are set out below.

<table>
<thead>
<tr>
<th>For</th>
<th>Against</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upholding the transparency agenda, and thereby keeping the public informed of Government actions and priorities.</td>
<td>Inhibiting open and constructive discussions between Governments.</td>
</tr>
<tr>
<td></td>
<td>Diminish the future supply of information between the named Governments.</td>
</tr>
<tr>
<td></td>
<td>Adversely affecting relationships between the named parties, thereby damaging their ability to discuss these and other important issues in the future</td>
</tr>
</tbody>
</table>

On balance, we do not believe it is in the public interest to release this information.

The information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

**Copyright**

Most documents supplied by the Department for Transport will have been produced by government officials and will be Crown Copyright. Most Crown Copyright information can be re-used under the Open Government Licence ([http://www.nationalarchives.gov.uk/doc/open-government-licence/](http://www.nationalarchives.gov.uk/doc/open-government-licence/)). For information about OGL and about re-using Crown Copyright information please see The National Archives website - [http://www.nationalarchives.gov.uk/information-management/uk-gov-licensing-framework.htm](http://www.nationalarchives.gov.uk/information-management/uk-gov-licensing-framework.htm).

Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the Intellectual Property Office's website at [www.ipo.gov.uk](http://www.ipo.gov.uk).

The information provided may now be published on our website together with any related information that will provide a key to its wider context.

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within 40 working days of the date of this letter by writing to the Department’s Information Rights Unit at:

Zone D/01
Ashdown House
Sedlescombe Road North
Hastings
Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

If you have any queries about this letter please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely,

XXXX

XXXX
EIR exceptions: 12(5)(a) - international relations, defence, national security and public safety

Regulation 12(5)(a)

... a public authority may refuse to disclose information to the extent that its disclosure would adversely affect:

- international relations, defence, national security or public safety

When using all the exceptions under regulation 12(5) it is important to consider the 'adverse affect' that release of the information would have. When seeking to rely on one of these exceptions, you should consider how the interest protected would be adversely affected or prejudiced by the disclosure.

Public interest test

All exceptions are subject to the application of the same public interest test as under FoI.

International relations

This may comprise information obtained from (or which relates to):

- a foreign state
- an international organisation or
- overseas territories

where disclosure might compromise future co-operation with the UK in areas of our vital interests, or information which has the potential to undermine the relationship between UK and other countries or international organisations.
Your right to complain to [DfT/Agency] and the Information Commissioner

You have the right to complain within 40 working days of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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