



Department
for Environment
Food & Rural Affairs

helpline@defra.gsi.gov.uk
www.defra.gov.uk

[REDACTED]
[REDACTED]

Our ref: RFI 5505
Date: 18th June 2013

Dear [REDACTED],

REQUEST FOR INFORMATION: HAIR TRAPPING AS PART OF BADGER NUMBER SURVEYS IN 2013

Thank you for your request for information about hair trapping carried out as part of surveys of badger numbers in 2013, which we received on 19th May. As you know, we have handled your request under the Environmental Information Regulations 2004 (EIRs).

The EIRs apply to requests for environmental information, which is a broad category of information defined in regulation 2 of the EIRs. Public authorities are required to handle requests for environmental information under the EIRs. They give similar access rights to the Freedom of Information Act 2000 (FOIA).

I am writing to advise you that the information that you have requested is not held by Defra. The information is therefore exempt under regulation 12(4)(a) of the EIRs, which relates to information which is not held at the time when an applicant's request is received. Regulation 12(4)(a) is a qualified exception, which usually means that a public authority is required to conduct a public interest test to determine whether or not information should be disclosed or withheld. However, the Information Commissioner, who is the independent regulator for requests made under the EIRs, takes the view that a public interest test in cases where the information is not held would serve no useful purpose. Therefore, in line with the Information Commissioner's view, Defra has not conducted a public interest test in this case.

However, under our duty to advise and assist applicants in pursuance of regulation 9, I can confirm that the information is held by Food and Environment Research Agency (Fera), which can be contacted at ccu@fera.gsi.gov.uk. Alternatively, we can transfer your request to Fera, but before doing so we need your permission to notify it of your name and contact details. If you agree to this, please either sign and return to me the declaration at the foot of this letter or email me at the address below, quoting the reference number and date of this letter and stating that you authorize the transfer of your information request.



In addition, you may also be interested in the information already available via the Defra website which gives details of the estimation of badger populations in the West Somerset and West Gloucestershire badger control pilot areas, based on fieldwork carried out in 2012 (<http://www.defra.gov.uk/animal-diseases/files/population-badger-pilot-areas.pdf>).

I attach an annex 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,

Defra TB Programme
Ccu.correspondence@defra.gsi.gov.uk



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RFI: 5505

I, [REDACTED], hereby authorise Defra to transfer my information request to the Animal Health and Veterinary Laboratories Agency (AHVLA).

Signature: Date:

Name in BLOCK CAPITALS

Annex

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 Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@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