

**Department of Energy & Climate Change**

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**Our Ref:** 12/1173

26 October 2012

Dear

Thank you for your email of 9<sup>th</sup> August where you requested the following information:

*Details of correspondence (letters, emails, phone texts, (including blackberry and Iphone)), and meetings (government briefing papers, agendas, and minutes of meetings) between Ministers at DECC and the following:*

- \* Senior officials at the Nuclear Industry Association;*
- \* Senior executives at EDF Energy;*
- \* Senior executives at RWE nPower;*
- \* Senior executives at Areva;*
- \* Senior executives at Westinghouse;*

*Considering nuclear power / energy policy / nuclear safety, and / or new nuclear build in the UK from the 11 March 2011 until 31 July 2011.*

Your request has been considered under the Freedom of Information Act 2000 (FOIA). We have interpreted your request to refer to meetings and correspondence where nuclear power, nuclear energy policy, nuclear safety and/or new nuclear build were considered. We have therefore only considered records relating to these specific areas. Please accept our apologies for the delay in responding.

We previously informed you that we were considering the balance of public interest in relation to section 35 (Formulation of Government Policy) and section 43 (Commercial Interests) of the FOIA. However, having considered the information in question in more detail, we have concluded that it does not fall within the scope of your request and therefore we do not need to consider whether these exemptions apply.

I have conducted a search of our records and can confirm that I have located four pieces of correspondence which fall within the scope of your request. These can be found in Annex 1-4. Please note any correspondence which does not fall in scope of your request has not been included.

Regarding meetings involving departmental Ministers, all meetings between external organisations and DECC Ministers are published quarterly on the DECC website at this link: <http://www.decc.gov.uk/en/content/cms/accesstoinform/registers/ministermtgs/ministermtgs.aspx>

Charles Hendry also attended the Nuclear Development Forum on 17<sup>th</sup> March 2011 at which senior executives from the companies in question were present. A full list of attendees, agenda and minutes can be found at: [http://www.decc.gov.uk/en/content/cms/meeting\\_energy/nuclear/forums/develop\\_forum/develop\\_forum.aspx](http://www.decc.gov.uk/en/content/cms/meeting_energy/nuclear/forums/develop_forum/develop_forum.aspx) We have therefore not provided you with this information as it is already in the public domain and as such is exempt information under section 21 of FOIA.

Some personal information has been redacted from the information released. Under section 40(2) of the FOIA this information is exempt as it constitutes third party personal data, the disclosure of which, would contravene one or more of the data protection principles. Personal data can only be disclosed in accordance with the data protection principles. The first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the Data Protection Act. We do not consider that it is fair and reasonable to release the names of staff from third parties or those civil servants who are not members of the Senior Civil Service and do not consider that any of the relevant conditions in schedule 2 apply.

## **Appeals Procedure**

If you are unhappy with the result of your request for information, you may request an internal review within two calendar months of the date of this letter. If you wish to request an internal review, please contact:

Information and Security Rights Team (DECC Shared Service)  
Department of Business, Innovation & Skills  
Victoria 3, 5<sup>th</sup> Floor  
1 Victoria Street  
London SW1H 0ET  
Email: [foi@decc.gsi.gov.uk](mailto:foi@decc.gsi.gov.uk)

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

Please remember to quote the reference number above in any future communications.

Yours sincerely,  
**Office for Nuclear Development**