



Department
of Energy &
Climate Change

Department of Energy & Climate Change
3 Whitehall Place,
London SW1A 2AW
www.decc.gov.uk

Our ref: Fol/EIR Request 12/1802

22/01/13

Dear

RE: Freedom of Information Request 20/12/12

Thank you for your request for information about the "Letters of Formal Notice" from the European Commission to the UK Government relating to risk maps and assessments concerning LNG tanker movement along the Cleddau estuary (also known as the Milford Haven Waterway) in Pembrokeshire, South Wales which DECC received on 20 December 2012.

Your request has been considered under the Environmental Information Regulations 2004 (EIRs).

I confirm that we do hold information which falls within the scope of your request. However, following careful consideration, I regret to inform you that we have decided not to disclose this information.

The information you requested is being withheld under Regulation 12(5)(a) of the EIRs which relates to information which, if disclosed, would adversely affect international relations. In applying this exception we have had to balance the public interest in favour of withholding the information against the public interest in favour of disclosure. We have applied a presumption in favour of disclosure as required by regulation 12(2) of the EIRs.

There is a general public interest in favour of disclosure of information as greater transparency makes government more open and accountable. We also acknowledge the current public interest in environmental issues and in particular where those may raise questions over public safety. However, disclosure of these documents would damage the relationship of trust and confidence the United Kingdom has with the European Commission. The process by which the European Commission corresponds with Member States is a bilateral iterative one in which the Commission is able to express any concern it has about the implementation of European law in a particular Member State and that State is able to set out, in an equally free and frank manner, its views on the points raised by the Commission. This frank and confidential exchange of views greatly increases the prospects of reaching a speedy settlement of the matter.

For these reasons, we consider that the public interest in maintaining this exemption outweighs the public interest in disclosing the information.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Under Regulation 11(2) this needs to be done no later than 40 working days after the date of this letter and should be addressed to: **Information Rights Unit** (foi@decc.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

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

Yours faithfully,