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Our ref: **12/1643**

19 December 2012

Dear

RE: Freedom of Information Request

Thank you for your FOI request of 23 November 2012, in which you asked for the following:

1. *Please provide information relating to meetings and correspondence between*
 - a) *Chris Huhne, former Secretary of State For Energy and Climate Change and/or his officials. and*
 - b) *Janusz Luks, CEO for Central Europe Energy Partners (CEEP) and/or his secretary Marta Mazur.*

Please provide all information since the 10th of May 2010 continuing up to 3rd of February 2012.

I request that information relating to meetings include, but not be limited to:

- i) *Time, ii) Date, iii) Place, iv) Names, job titles and organisation names of those in attendance, v) Minutes, vi) Agendas, vii) Or any other form of notes taken at the meetings specified above.*

Please ensure you have searched for relevant correspondence in:

1. *Emails and attachments, 2. Letters, 3. Briefing documents or equivalents (sent and received), 4. Notes taken in relation to phone calls, 5. Any other form of correspondence used by either party related to the parties specified above.*

2. *For the same dates as earlier stated, could you please also provide me with the information on your internal record management that includes the subjects and/or topics of*
 - a) *“Chris Huhne” and “Januz Luks”,*
 - b) *“Chris Huhne” and “Central Europe Energy Partners” and its abbreviation.*
3. *For the dates 01/10/10 up until 20/10/12 could you please also provide me with the information on your internal record management that includes the subject and/or topic of*
 - c) *“Central Europe Energy Partners” and its abbreviation.*
 - d) *“European Centre for Energy & Resource Security” and its abbreviation “EUCERS”*

Part 1: Information relating to meetings / correspondence between Chris Huhne and/or his officials and Janusz Luks and/or Marta Mazur.

In regards to part 1 of your request all meetings that took place between external organisations and Chris Huhne are published on the DECC website at this link:

<http://www.decc.gov.uk/en/content/cms/accesstoinform/registers/registers.aspx>

However, concerning any correspondence between Chris Huhne and Janusz Luks and/or Marta Mazur, and any correspondence or meetings between these named people and departmental officials, we can confirm that no records in scope have been identified on the departmental records management system. Therefore to comply with this part of your request would require a major search of the whole of the Department to establish whether any meetings have actually taken place or correspondence exchanged, as no particular policy area has been identified as primarily dealing with this body. Gathering it together would therefore be likely to involve a significant cost and diversion of resources from the Department's other work. We would need to trawl a wide number of policy officials across the department to determine if any information is held in the scope of your first request.

We want to be as open as possible in answering requests, and to help people obtain the information they are looking for. Unfortunately, we estimate that it will take us in excess of 24 working hours to determine appropriate material and locate, retrieve and extract the information in reference to your request. The effort to administer your request would exceed the limit prescribed in Regulations made pursuant to Section 12 of the Freedom of Information Act 2000. This limit is £600 and which represents the estimated cost of spending 24 hours in determining whether the Department holds such information, and locating, retrieving and extracting the information. Where the estimated cost is above this limit, we are not obliged to comply with a request.

Insofar as the information requested constitutes environmental information, we have been unable to process this part of your request because in our view the exception in Regulation 12(4)(b) of the EIRs is engaged. This regulation provides that a public authority may refuse to disclose information to the extent that the request for information is manifestly unreasonable. This exception is subject to the public interest test. Notwithstanding this, a presumption in favour of disclosure has been applied, as is required by regulation 12(2). We recognise that disclosure could enhance public understanding of the Government's engagement with external organisations, which contributes to the accountability and transparency of Government decisions. However, we consider the balance of the public interest to lie in favour of withholding the information. This is because your request is very broad and to deal with it would involve applying significant resources from the team which would otherwise be deployed in undertaking core work of the Department.

The best way that we can help you is therefore to ask you to consider whether you could narrow down your request to focus on the precise information that you are seeking. You could, for example:

- Narrow the time period covered by your request for correspondence;
- Explain a bit more about the subject area you are interested in, relating to these meetings

We would be happy to consider whether any revised request could be dealt with within the cost limit.

Parts 2 & 3: Information on your internal record management system

In regards to parts 2 and 3 I must inform you that I cannot comply with the instructions in your letter as these do not constitute a valid request for information.

Your letter is not a proper request for information within the meaning of section 8(1)(c) of the Freedom of Information Act 2000. This is because your letter does not describe the information requested. Instead it lays down a methodology for conducting a search. An account of a search method is not a description of the information that may or may not be found by carrying out the search.

If you wish, you may submit a valid request by describing the information you seek. You may find it helpful to consult the Information Commissioner's guidelines before doing so. These may be read here:

http://www.ico.gov.uk/for_the_public/official_information/how_access.aspx

Broadly speaking, however, it will satisfy the conditions of section 8(1)(c) if you can state the subject matter in clear terms and can relate it to a definite context such as a particular policy or region or a notable event or initiative. It may also be helpful if you can confine your request to information created in relatively short period, as it means that a search for the information is less likely to exceed the cost limits.

You might, for example, ask for information about specific meetings or correspondence. If your request arises from a news report, a reference to the report could help us to identify relevant information. You should bear in mind that even if the Department does hold any information, it may be subject to one or more of the exemptions contained in the Freedom of Information Act.

I have also considered your request in the context of the Environmental Information Regulations. The requirements of the Regulations are different to those of the Freedom of Information Act. However by virtue of regulation 12(4)(c) of the Environmental Information Regulations, a public authority is not obliged to comply with a request for environmental information if the request is formulated in too general a manner provided that the public authority has given advice and assistance to the applicant. The instructions contained in your letter of 23 November, are not a description of the information required. To the extent

that they can be interpreted as a request for environmental information, it is formulated in too general a manner and the exception is engaged. The advice and assistance provided above satisfy the requirements of paragraph 9(2) of the Regulations and should enable you to reformulate your request should you wish to do so.

Appeals procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to: **Information Rights Unit** (foi@decc.gov.uk)

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

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

Yours sincerely,