



Department  
for Environment  
Food & Rural Affairs

T: 08459 335577  
helpline@defra.gsi.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

**Your ref:** 02DEF282

**Our ref:** RFI 6318

**Date:** 12 March 2014

Dear REDACTED

**REQUEST FOR INFORMATION: Correspondence and meetings between the Secretary of State for the Environment and Cuadrilla, iGas and/or Centrica**

Thank you for your request for information about correspondence and meetings between Owen Paterson and/or the Secretary of State's Special Advisors and Cuadrilla, iGas and Centrica, which we received on 24 January. As you know, we have handled your request under the Environmental Information Regulations 2004 (EIRs).

Following careful consideration, we have decided not to disclose some of this information. I enclose a copy of the information which can be disclosed:

- 3 June 2013 letter from Lord Browne (Cuadrilla) to SofS requesting a meeting
- (note: there was no written reply; SofS's Diary secretary arranged via telephone)
- 13th June 2013. Meeting note, including a list of those taking part, of the telephone discussion held between SofS for Defra, DECC/BIS, Environment Agency and Cuadrilla.
- 3rd to 6th June e-mail correspondence re 3 June letter from Lord Browne
- 6th June to 8th July 2013 e-mail correspondence re arrangements for telephone discussion
- 13th June 2013 Cuadrilla Press Release sent to Guy Robinson (SpAD)

There were three listed telephone conversations between the Secretary of State and Lord Browne of Cuadrilla and these took place on 6 June 2013, 13th June 2013, and 8th July 2013. There is a meeting note (included in the released items listed above) for 13th June telephone conversation only. There are no notes or record of the items discussed currently held for the other two listed calls. In addition there was one meeting involving the Secretary of State; Lord Smith, Chairman of the Environment Agency; and the Chief Executives of Cuadrilla (Francis Egan); iGas (Andrew Austin); and the UK Onshore Operators Group (Ken Cronin) which took place on 22nd November 2013. We do not hold a record of the meeting note.



There were no items of correspondence, calendar items or invites within the scope of your request relating to Centrica. One item of the information requested is being withheld as it falls under the exception in regulation 12 (5) (e) of the EIRs, which relate to the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest. The exception 12 (5) (f) which protects the interests of those providing information voluntarily also applies to this item which was provided voluntarily by Cuadrilla to the Secretary of State.

In applying this exception we have had to balance the public interest in withholding the information against the public interest in disclosure. We recognise that there is a public interest in disclosure of information related to the onshore oil and gas industry.

On the other hand, there is a strong public interest in withholding the information because we would not want to place a single operator at disadvantage compared to competitors as a result of release of commercial information volunteered in confidence to assist the development of government policy. As the information was provided voluntarily, disclosure could provide a disincentive to industry providing such information to Government Departments and Ministers in future.

Therefore, we have concluded that, in all the circumstances of the case, the information should be withheld.

Two further items of the information requested are being withheld as they fall under the exception in regulation 12(4)(e) of the EIRs, which relates to Formation of Government Policy. Information contained in any internal communication of a public authority including correspondence between officials in any public authority and between any public authorities may be protected under this exception. The two items are internal briefings for the Secretary of State provided by officials in advance of two of the meetings listed above and clearly fall under this exception.

In applying this exception, we have had to balance the public interest in withholding the information against the public interest in disclosure. We recognise that there is a public interest in disclosure of information concerning policy development in relation to shale gas. On the other hand, there is a strong public interest in withholding the information because it is important that Ministers and officials can consider implications of potential impacts and scenarios around the development of the shale gas industry and to develop options without the risk that disclosure of early thinking, could close down discussion.

Therefore, we have concluded that in all the circumstances of the case, the information should be withheld.

In keeping with the spirit and effect of the EIRs, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on [www.gov.uk](http://www.gov.uk) together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you. I also attach Annex B 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 sincerely

REDACTED

## Annex A

### Copyright

The information supplied to you continues to be protected by copyright. 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.

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## Annex B

### 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](mailto: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