



Department
for Environment
Food & Rural Affairs

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

[REDACTED]
[REDACTED]

Our ref: RFI 5783
Date: 07/10/2013

Dear [REDACTED],

REQUEST FOR INFORMATION: Land in Pilot Cull Areas

Thank you for your request for information about land in the pilot cull areas, which we received on 09/09/2013. 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.

Regulation 12(4)(a)

The information you requested is not held by Defra and falls within the exception in 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 generally (that is to say, in the case of any other similarly qualified exception) means that a public authority is required to consider the balance of public interest to determine whether or not information should be disclosed or withheld. However, consideration of the balance of public interest would serve no useful purpose in cases where the information is any event not held. (This is also the view of the Information Commissioner, who is the independent regulator for requests made under the EIRs.). Defra has not, therefore, considered the balance of public interest in this case.

However, under our duty to advise and assist under section 9 of the EIRs, this information may be held by Natural England, which can be contacted at Enquiry Service Block B, Government Buildings, Whittington Road, Worcester WR5 2LQ or enquiries@naturalengland.org.uk. Alternatively, we can transfer your request to Natural England 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.

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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I, [REDACTED], hereby authorise Defra to transfer my information request to Natural England.

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