



Department
for Environment
Food & Rural Affairs

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

Our ref: RFI 5598
Date: 24 July 2013

Dear [REDACTED]

**REQUEST FOR INFORMATION: FORMAL AND INFORMAL POLICIES REGARDING
THE RELEASE OF INFORMATION RELATING TO BADGER CULLING**

Thank you for your request for information for various categories of information regarding the release of information relating to bovine TB policies and badger culling, which we received on 27th June 2013. As you know, we have considered 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).

We want to be as open as possible in answering requests. The EIRs also require us to provide advice and assistance to help people obtain the information they are looking for and make good use of the EIRs. Unfortunately, your request is very broad and covers an enormous amount of information, potentially going back over many years. Gathering it together would therefore involve a significant cost and diversion of resources from the Department's other work.

By virtue of regulations 12(1) and 12(4)(b) of the EIRs, Defra may refuse to disclose environmental information if the request for the information is manifestly unreasonable and, in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information.

We consider that your request is manifestly unreasonable under regulation 12(4)(b) on cost grounds and, having carried out the above public interest test, we have concluded that, in all the circumstances of the case, the public interest falls in favour of maintaining the exemption.

In reaching our decision with respect to the public interest, we considered the following matters:



We recognise that there is a public interest in disclosure of information concerning badger culling. The public arguments in favour of disclosure include transparency and public understanding of the development of a Government policy.

On the other hand, there is a strong public interest in withholding the information because the request is manifestly unreasonable as the information in its entirety is not held in one place, if at all. To source all the information in your request would involve a burden on resources from different areas of the Department, and as such would exceed the cost limit.

Regulation 9 of the EIRs requires public authorities to provide advice and assistance to applicants where reasonable. We have therefore provided details below to assist you to formulate a request that can be handled at less cost.

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

- if you specified a time period in your request, consider reducing it;
- explain more fully and precisely the kind of information you are looking for (e.g. information relating to a particular issue);
- as the request covers the work of a number of business areas, please consider asking for information on either Defra's TB Programme, Press Office or FoI/EIR team in order to cut down the scope of the request and make the response simpler to coordinate;
- ask us to omit information that falls within scope of your request but would add nothing to your understanding of the matter, e.g. housekeeping emails, such as meeting requests and acknowledgements; draft documents, where the finalized document also falls within the scope of the request; and personal information, such as names and email addresses of junior staff and third parties, etc; or
- browse through the material that has already been made publicly available by Defra to see if this would help you to identify more precise questions that we might be able to answer at less cost. Updates to the TB Programme pages of Gov.uk can be found at: <https://www.gov.uk/government/policies/reducing-bovine-tuberculosis/activity>. This lists publications, press releases and guidance published since May 2010.

Please note that we will handle your modified request as a new request. The 20-working-day timescale for responding to requests will therefore commence from the date that we receive the modified 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 get in touch.

Yours sincerely

TB Programme
Ccu.correspondence@defra.gsi.gov.uk

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