



Department
for Environment
Food & Rural Affairs

T: 08459 33 55 77
helpline@defra.gsi.gov.uk
www.gov.uk/defra

Your ref:
Our ref: RFI 6474
Date: 17 April 2014

Dear

REQUEST FOR INFORMATION: POWERS OF ENTRY AVAILABLE TO, AND USED BY, DEFRA

Thank you for your request for information on the powers of entry available to, and used by, Defra, which we received on 31 March 2014. As you know, we have handled your request under the Freedom of Information Act 2000 (FOIA).

The information that you have requested is already publically available from www.gov.uk.

As the information is reasonably accessible to you by other means, it is exempt from disclosure under section 21 FOIA. Your request has therefore been refused.

However, to ensure you locate the information correctly I have provided hyperlinks below in relation to the first and third part of your request:

- Under which pieces of legislation does DEFRA have the right to use powers of entry?

<https://www.gov.uk/government/publications/protection-of-freedoms-act-2012-documents-powers-of-entry>

The above hyperlink will take you to where you can download a list of all powers of entry belonging to all government departments which are separated into two documents, one covering primary legislation and the other secondary legislation.

- I would also like to have a copy of any 'Progress Report' sent to Parliament

<https://www.gov.uk/powers-of-entry>



The above hyperlink will take you to where the 'progress reports' sent to Parliament can be viewed.

However, we are unable to provide you with the information you have requested relating to which legislation Defra uses the most and how often, as we do not hold this information.

As you are no doubt aware, Defra, along with other government departments, will be required to lay before Parliament a final report on the review of its powers of entry. This is due to be laid shortly and we can of course send you a hyperlink to our final report once it has been made public.

I attach an annex giving contact details should you be unhappy with the service that you have received.

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

Yours sincerely,

Better Regulation, Improving Regulatory Delivery Team

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