



Department
for Environment
Food & Rural Affairs

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

[REDACTED]

Our ref: RFI 6429
Date: 15 April 2014

Dear [REDACTED],

REQUEST FOR INFORMATION: Badger Cage Costs

Thank you for your request for information about the cost of cages used in badger culls, which we received on 18 March 2014. 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).

You asked for the unit cost including VAT and delivery of a badger cage procured in 2013, from the successful preferred supplier.

The information you requested is being withheld as it falls under the exception in regulations 12(5)(e) of the EIRs, which relates to the protection of economic interests.

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 the operations of the badger pilot culls in 2013, given the controversial nature of the policy and the wider interest from the general public, parliament and interested NGOs in how the two pilots were delivered on the ground.

On the other hand, there is a strong public interest in withholding the information because, as Defra is likely to procure cage traps this year, releasing this information would prejudice the tendering process and damage Defra's commercial interests in securing best value for money. Defra has a strong commercial interest in a tendering process that can secure the best prices from its suppliers. Releasing data on the price of cage traps units purchased in



2013 from our preferred supplier would effectively create a *de minimis* unit price for cage traps in future procurement exercises. Disclosure of these figures would actively undermine Defra's ability to obtain the best value for money through the tendering process, damaging the department's commercial interests as a result.

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

I have attached 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 sincerely,

Defra TB Programme

Email: 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