



Department
of Energy &
Climate Change

3 Whitehall Place
London
SW1A 2AW

www.gov.uk/decc

Email:

Our ref: FOI2014/28885

6 February 2015

Dear

I refer to your e-mail of 17 December in which you asked for:

Please can you answer my following freedom of information request;

- 1. Please can you confirm the nature of the recent DECCs visit to Ryedale district council (RDC) and/or North Yorkshire county council (NYCC) in December 2014.***
- 2. Please can you confirm who attended the meeting with DECC at RDC's and/or NYCC office. (please included names of attendees and the company)***
- 3. Please can you provide me with a copy of all correspondence between Ryedale District Council, North Yorkshire County Council and DECC (and any parties who attended the meetings) in relation to the visit mentioned in items 1 & 2.***
- 4. Please provide me with a copy of all correspondence between RDC and DECC (including DECC subsidiaries) from January 2012 to current date.***

I have considered your request in accordance with the Environmental Information Regulations 2004 ('the EIRs') as the information you have sought disclosure of, in our view, falls within the definition of 'environmental information' as stated in the EIRs.

Following a search of our paper and electronic records, I have established that the Department holds information within the scope of your request. I have responded to each point individually.

In response to point number 1 of your request, the meeting was offered by the Office of Unconventional Gas and Oil to help explain Government's policy on shale gas to Council members.

With regards to point number 2 of your request, officials from the following organisations attended the meetings with ***Ryedale District Council, and North Yorkshire County Council on 16 December:***

***Department of Energy and Climate Change
Health and Safety Executive
Environment Agency
Department for Communities and Local Government***

The names of those officials have been withheld under regulation 13(1) of the EIRs relating to personal data.

Correspondence relating to points 3 and 4 of your request is attached in Annex A. After careful examination, DECC decided to withhold some of the information relating to points number 3 and 4 of your request under regulation 12(5)(e) of the EIRs, relating to internal communication, regulation 12(5)(f) – relating to disclosure of information would adversely affect the interest of the person who provided the information and regulation 13(1) of the EIRs, relating to personal data.

DECC does not have any subsidiaries. The department is accountable to the Permanent Secretary and you can see our structure here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/369944/decc-organogram-external.pdf

DECC also works with 8 agencies and public bodies, whose details can be found here:

<https://www.gov.uk/government/organisations>

DECC has no responsibility for information held by these bodies. Any information held by these bodies should be requested from the relevant body directly.

The exception under regulation 12(4)(e) relating to internal communications of the EIRs is subject to public interest. In considering the public interest we have applied a presumption in favour of disclosure as required by regulation 12(2) of the EIRs.

We believe that Regulation 12(4)(e) of the EIRs applies to this information because the e-mails between DECC and North Yorkshire County Council and Ryedale District Council which we hold within the scope of this request take the form of internal communications. DECC recognises that there is a general public interest in disclosure of information and we recognise that openness may increase public trust and engagement with government. But releasing some internal communications would inhibit officials' ability to provide free and frank advice, and to keep frank records of discussions between officials if there was a possibility that this advice could be disclosed at a later date. This would have a detrimental effect on briefing and policy development. Given the live nature of the communications within the scope of your request, such outcomes would be likely to prejudice the conduct of public affairs.

Having considered the balance of public interest test, we have concluded that the public interest in this instance lies in withholding some information.

Some of the information is being withheld under regulation 12(5)(f) to protect the interests of the person who provided the information where that person: was not under, and could not have been put under, any legal obligation to supply it to that or any other public authority; did not supply it in circumstances such that or any other public authority is entitled apart from these regulations to disclose it; and has not consented to its disclosure.

As above, we recognise that there is a public interest in transparency. When organisations share sensitive information with the Department it can greatly aid policy development. They will only do so if that information will not be released to the public; therefore disclosing such sensitive information could harm the interests of those organisations and inhibit open and constructive discussions between the Department and County or District Council's in the future. These organisations provided information to DECC/OUGO voluntarily, without any obligation. Making such information public would inhibit future communications with them.

Additionally, these public interests have to be weighed against a public interest in the prevention of adverse effects on the interests of the third party provider of information, and the principle of confidentiality in similar way to that discussed above in the context of Regulation 12(4)(e). Taking into account all the circumstances of the case, we have concluded that the balance of public interest favours withholding the information in this instance.

Regulation 13(1) of the EIRs provides an absolute exception from disclosure for personal data, which then falls to be dealt with under the Data Protection Act (DPA). Personal data of third parties can only be disclosed under the data protection principles. In particular, the first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the DPA. We do not think it is fair to release the names and contact details of DECC staff below Senior Civil Service level, or staff in other organisations, and do not think that any of the relevant conditions in Schedule 2 of the DPA apply.

Appeals procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within 40 working days of the date of receipt of the response to your original letter and should be sent to the Information Rights Unit at: Information Rights Unit (DECC Shared Service), Department for Business, Innovation & Skills, 1 Victoria Street, London, SW1H 0ET. E-mail: foi.requests@bis.gsi.gov.uk.

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

Office of Unconventional Gas and Oil

Annex A

(Pages 1-4 of this document covers information relating to point No. 3 of the request.)

All the bits highlighted in yellow to be withheld under regulation 13(1) of the EIRs relating to personal data.

From: REDACTION REG 13(1)
Sent: 16 December 2014 13:37
To: REDACTION REG 13(1)
Subject: RE: Visitors

Hi REDACTION REG 13(1)

Further details added as requested.

REDACTION REG 13(1)



REDACTION REG.13(1)
REDACTION REG 13(1) to Duarte Figueira
Office of Unconventional Gas and Oil
T: REDACTION REG 13(1)
REDACTION REG 13(1)
Follow us on [Twitter.com/DECCgovuk](https://twitter.com/DECCgovuk)

From: REDACTION REG 13(1)
Sent: 16 December 2014 13:20
To: REDACTION REG 13(1) (Energy Development)
Subject: RE: Visitors

Thanks REDACTION REG 13(1)

Do you have information/job titles on their roles please

REDACTION REG 13(1) | REDACTION REG (13)1 Chief Executive
REDACTION REG 13(1)
[REDACTION REG 13\(1\)@ryedale.gov.uk](mailto:REDACTION REG 13(1)@ryedale.gov.uk) | www.ryedale.gov.uk
Ryedale District Council | Ryedale House | Old Malton Road | Malton | North Yorkshire | YO17 7HH
[Twitter:](#) | [YouTube Channel:](#) | [Facebook:](#) | [Flickr:](#)

From: REDACTION REG 13(1) Energy Development) [[mailto:REDACTION REG 13\(1\)@decc.gsi.gov.uk](mailto:REDACTION REG 13(1)@decc.gsi.gov.uk)]
Sent: 16 December 2014 13:19
To: REDACTION REG 13(1)
Subject: Visitors

Hi REDACTION REG 13(1)

Apologies for the delay, visitors this afternoon are:

REDACTION REG 13(1) DECC
REDACTION REG 13(1), Office of Unconventional Gas and Oil (OUGO)

REDACTION REG 13(1) DECC
REDACTION REG 13(1), OUGO

REDACTION REG 13(1) - DECC
REDACTION REG 13(1) OUGO

REDACTION REG 13(1) HSE
REDACTION REG 13(1) HSE

REDACTION REG 13(1) EA
REDACTION REG(13)1

REDACTION REG (13)1 DCLG
REDACTION REG (13)1

Regards,

REDACTION REG 13(1)



REDACTION REG 13(1)
REDACTION REG 13(1) to Duarte Figueira
Office of Unconventional Gas and Oil
T: REDACTION REG (13)1
[REDACTION REG 13\(1\)@decc.gsi.gov.uk](mailto:REDACTION REG 13(1)@decc.gsi.gov.uk)
Follow us on [Twitter.com/DECCgovuk](https://twitter.com/DECCgovuk)

From: REDACTION REG 13(1) (Energy Development)

Sent: 15 December 2014 15:11

To: REDACTION REG 13(1)

Subject: RE: Visit on 16th

Hi [REDACTION REG 13\(1\)](#)

They are both [REDACTION REG 13\(1\)](#)

Regards,

REDACTION REG 13(1)



REDACTION REG 13(1)
REDACTION REG 13(1) Duarte Figueira
Office of Unconventional Gas and Oil
T: REDACTION REG 13(1)
[REDACTION REG 13\(1\)@decc.gsi.gov.uk](mailto:REDACTION REG 13(1)@decc.gsi.gov.uk)
Follow us on [Twitter.com/DECCgovuk](https://twitter.com/DECCgovuk)

From: REDACTION REG 13(1) [[mailto:REDACTION REG 13\(1\)@northyorks.gov.uk](mailto:REDACTION REG 13(1)@northyorks.gov.uk)]

Sent: 15 December 2014 14:24

To: REDACTION REG 13(1)(Energy Development)

Subject: RE: Visit on 16th

Hi REDACTION REG 13(1)

Can you pls confirm titles for [REDACTIONS REG 13\(1\)](#) – many thanks.

REDACTION REG 13(1)

REDACTIONS REG 13(1) to David Bowe

North Yorkshire County Council, Director's Office, East Block, County Hall, Northallerton, DL7 8AH
Tel: REDACTED REG 13(1) e-mail: REDACTED REG 13(1)@northyorks.gov.uk

From: REDACTED REG 13(1) (Energy Development) [mailto:REDACTED REG 13(1)@decc.gsi.gov.uk]
Sent: 15 December 2014 11:58
To: REDACTED REG 13(1)
Subject: Visit on 16th

Hi REDACTED REG 13(1)

Just to confirm arrangements for tomorrow.

REDACTED REG 13(1) and REDACTED REG 13(1) will be joined by REDACTED REG 13(1), Area Environment Manager, North Yorkshire, REDACTED REG 13(1) HSE and REDACTED REG 13(1) Planning – Infrastructure and Environment.

They will arrive at your offices at approximately 13.00 and I have explained that they might have to wait a short while. They will need to leave no later than 14.50 as their next train departs at 15.08

Please call if you need any other information.

Kind regards,

REDACTED REG 13(1)



REDACTED REG 13(1)
REDACTED REG 13(1) Duarte Figueira
Office of Unconventional Gas and Oil
T: REDACTED REG 13(1)
REDACTED REG 13(1)@decc.gsi.gov.uk
Follow us on [Twitter.com/DECCgovuk](https://twitter.com/DECCgovuk)

From: REDACTED REG 13(1) (Energy Development)
Sent: 04 December 2014 17:42
To: REDACTED REG 13(1)@northyorks.gov.uk; REDACTED REG 13(1)@northyorks.gov.uk
Cc: REDACTED REG 13(1) (Energy Development)
Subject: Introduction

REDACTED REG 13(1),

To introduce myself, I work in the Office for Unconventional Gas and Oil and keep an eye on developments in Yorkshire. Given recent developments, I thought it would be useful for us to have a chat about the policy and regulation surrounding this area. I think it would be a good idea to meet in person, I am hoping to come up in the next few weeks and have a meeting with yourselves, the Local Enterprise Partnership and Ryedale district council. Is this something you would be interested in? I would be happy to talk to you and your teams and answer any questions you have.

Please don't hesitate to get in touch if you would like more information.

Thanks,

 REDACTED REG 13(1) REDACTED REG 13(1) REDACTED REG 13(1), Office for
Unconventional Gas and Oil
Department of Energy & Climate Change
3 Whitehall Place | London | SW1A 2AW
tel REDACTED REG 13(1) | mob +REDACTED REG 13(1)

PAGES 5-10 FALLS UNDER POINT NO. 4 OF THE REQUEST.

From: REDACTION REG 13(1) (Energy Development)
Sent: 25 November 2014 16:08
To: REDACTION REG (13)1; REDACTION REG 13(1)
Cc: REDACTION REG 13(1) (Energy Development); REDACTION REG 13(1) (Energy Development)
Subject: RE: Fracking Statutory consultee

Dear REDACTION REG 13(1)

Certainly not a DECC issue. If there were any such guidance I imagine it would originate from DCLG. I'm copying in my colleagues REDACTION REG 13(1) there, who may be able to help you, or to suggest who might.

REDACTION

From: REDACTION [mailto:REDACTION@ryedale.gov.uk]
Sent: 25 November 2014 16:00
To: REDACTION REG (13)1 (Energy Development)
Cc: REDACTION REG (13)1 (Energy Development); REDACTION REG 13(1) (Energy Development)
Subject: RE: Fracking Statutory consultee

Dear REDACTION REG (13)1

Very many thanks for everyone responding so quickly . It is very much appreciated.

Your response is very timely since I have just received the attached press release.

REDACTION REG 12(4)(e)

Kind regards

REDACTION REG 13(1)
REDACTION REG 13(1)
REDACTION REG 13(1)
Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7HH
Tel: REDACTION REG 13(1)

[REDACTION REG 13\(1\)@ryedale.gov.uk](mailto:REDACTION REG 13(1)@ryedale.gov.uk)
www.ryedale.gov.uk

From: REDACTION REG 13(1) (Energy Development) [[mailto:REDACTION REG 13\(1\)@decc.gsi.gov.uk](mailto:REDACTION REG 13(1)@decc.gsi.gov.uk)]
Sent: 25 November 2014 15:53
To: REDACTION REG 13(1)
Cc: REDACTION REG 13(1) (Energy Development); REDACTION REG 13(1) (Energy Development)
Subject: RE: Fracking Statutory consultee

Dear REDACTION REG 13(1)

REDACTION REG 13(1) has passed me your inquiry. "Application for fracking" could mean more than one thing, but no fracking, or drilling for oil or gas, can take place without

- (a) Planning permission, from the Minerals Planning Authority (in this case North Yorkshire); and
- (b) Environmental permits, from the Environment Agency.

Both the MPA and the EA hold public consultations before coming to their respective conclusions. I'm sure you are already familiar with the MPA's consultation procedures, but if you do not already have an established contact with the EA, please let me know and I will find one.

Drilling operations, and fracking, also require DECC consent. We do not consult before giving that consent, but the application for our consent will not be considered until planning permission has been given, and we do not give consent until the EA and also the HSE have indicated that have no objection.

For completeness, DECC is also responsible for the issue of petroleum licences. These are sometimes called "fracking licences", though this is misleading because they do not give permission for drilling, fracking or any other operation. Their significance is rather to convey exclusive rights of exploring for and getting petroleum in a defined area. We do not consult on the issue of individual licences, though we conducted a "strategic environmental assessment" last year on our proposals for further licensing generally; and there may be further consultations in respect of particular areas, under the Habitats Assessment Regulations, before any licences are awarded in respect of these areas.

REDACTION REG 13(1)



REDACTION REG 13(1)
Oil and Gas Licensing Policy
E: [REDACTION REG 13\(1\)@decc.gsi.gov.uk](mailto:REDACTION REG 13(1)@decc.gsi.gov.uk) T: 0300 068 6028
Follow us on [Twitter.com/DECCgovuk](https://twitter.com/DECCgovuk)

From: REDACTION REG 13(1)
Sent: 25/11/2014 09:58
To: [REDACTION REG 13\(1\) \(Energy Development\)](mailto:REDACTION REG 13(1)@decc.gsi.gov.uk)
Subject: FW: Fracking Statutory consultee

Dear REDACTION REG 13(1)

I hope you are well.

Ryedale District Council is in the county of North Yorkshire. We have two tier local government here.

REDACTION REG 12(5)(f)

Regards

REDACTION REG 13(1)
REDACTION REG 13(1)

REDACTION REG 13(1)

Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7HH
Tel: **REDACTION REG 13(1)**

REDACTION REG 13(1)[@ryedale.gov.uk](mailto:ryedale.gov.uk)
www.ryedale.gov.uk

From: Janet Waggott [mailto:janet.waggott@ryedale.gov.uk]
Sent: 19 November 2014 16:38
To: **REDACTION REG(13)1** (Energy Development)
Cc: **REDACTION REG 13(1)**; **REDACTION REG 13(1)**[@hse.gsi.gov.uk](mailto:hse.gsi.gov.uk)
Subject: RE: Gas Extraction Debate

REDACTION REG 13(1)

Thank you for your email and for setting out some of the parameters / conditions which you have identified.

REDACTION REG 12(4)(e)

The idea of separate meetings or separate rooms is also something to consider as a way forward.

I will telephone you about this and would be most grateful if you could let me know when is most convenient for you.

Thank you

Janet Waggott | Chief Executive

REDACTION REG 13(1)
REDACTION REG 13(1)[@ryedale.gov.uk](mailto:ryedale.gov.uk) | www.ryedale.gov.uk Ryedale District Council | Ryedale House | Old Malton Road | Malton | North Yorkshire | YO17 7HH Connect with the Council: Twitter | YouTube | Facebook | Flickr

From: REDACTION REG 13(1) (Energy Development) [mailto:REDACTION REG 13(1)@decc.gsi.gov.uk]
Sent: 19 November 2014 15:35
To: Janet Waggott
Cc: REDACTION REG 13(1); REDACTION REG 13(1)@hse.gsi.gov.uk
Subject: RE: Gas Extraction Debate

REDACTION REG 13(1),

Many thanks for this. Perhaps we should discuss on the phone at some point? What are the timings for this? REDACTION REG 13(1). We would also normally only speak at events that are official Council events. There are certainly ways to run the event which would mean that DECC (and perhaps EA and HSE) can take part which include running a series of events for councillors and members of the public to attend which have a different set of speakers at each or having separate rooms or sessions if there is one event.

I am keen to ensure we engage as much as possible so look forward to working with you to come up with a solution that works for all of us. I would be happy to come and speak at a meeting of council members too if you would like.

Thanks,

REDACTION REG. 13(1)

From: Janet Waggott [mailto:janet.waggott@ryedale.gov.uk]
Sent: 15 November 2014 12:47
To: REDACTION REG. 13(1) (Energy Development)
Subject: Re: Gas Extraction Debate

REDACTION REG 13(1)

Thank you for your email. This has arisen because there is a lot of local interest and there has been a presentation which has been rolled out throughout the District which has caused interest and concern.

REDACTION REG.12(4)(e)

REDACTION REG 12(4)(e).

It is also clear to me that the issue of fracking will keep raising its profile as we head towards the Election, as you may know we also have an all out District Election at the same time as the parliamentary election.

It is my intention as the District Council to facilitate a public meeting (REDACTION REG 12(4)(e)) and offer a balanced view .

The idea is that invited speakers have a time limited opportunity (the same time to each) to make their presentation / case and then there is a question time. If I can get questions in advance so much the better but not always possible and sometimes are generated from the discussion. I have not been in touch with the regulators as yet so thank you for copying them in.

If you are able to assist or wish to have any further information please do not hesitate to contact me.

Many thanks
Janet Waggott
Sent from my iPad

> On 14 Nov 2014, at 14:38, REDACTION REG. 13(1) (Energy Development) <REDACTION REG 13(1)@decc.gsi.gov.uk> wrote:

>

> Janet,

>

> I understand from REDACTION REG 13(1) that you are looking for a speaker at a public event in Ryedale to promote a better understanding of hydraulic fracturing in your area. Can I ask for some more information on proposed format and attendees? Have you been in touch with the regulators? I have copied them here.

>

> Thanks,

>

> REDACTION REG 13(1)

>

> REDACTION REG 13(1) | tel REDACTION REG 13(1) | 0 mob REDACTION REG 13(1)