



Department
for Environment
Food & Rural Affairs

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Our ref: RFI 7764

24 September 2015

Dear [REDACTED]

REQUEST FOR INFORMATION: Proposed Extensions to the Lake District and Yorkshire Dales National Parks

Thank you for your request for information, which we received on 27 August 2015, about the costs of the boundary extensions proposals project; meetings to discuss the proposed extensions held by the Secretary of State since the end of the public inquiry; and the inspector's report.

In our letter of 3 September 2015 acknowledging receipt of your request for information, we informed you that we were handling your request under the Freedom of Information Act 2000 (FOIA). However, during further consideration of your request, we concluded that the Environmental Information Regulations 2004 (EIRs) instead apply to your request. 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).

Your request and our responses are as follows:

1. On what date did the department receive the Inspector's report following the 2013 public inquiry into the proposals to extend the boundaries of the Lake District National Park and the Yorkshire Dales National Park?

Defra received the Inspector's report on the public inquiry into the proposals to extend the boundaries of the Lake District and Yorkshire Dales National Parks on 15 October 2013.

2. Further to [Defra's letter](#) dated 16 October 2014, which details the costs of the boundary extension project, have additional costs been incurred by the Department since that date?

Other than the costs of staff time, which have not been quantified, no additional costs have been incurred for the project since 16 October 2014.

3. Please list the dates and the organisations involved in external meetings that the former Secretary of State Owen Paterson and current Secretary of State Elizabeth Truss have held to discuss the National Park extensions since the end of the public inquiry.



Neither Secretary of State held or has held meetings with any external organisation to discuss the proposed extensions since the end of the public inquiry.

4. Please supply a copy of the Inspector's report.

The Inspector's report is being withheld as it falls under the exception at regulation 12(5)(b) of the EIRs, which relates to the disclosure of information that would adversely affect the course of justice.

In applying this exception, we have had to balance the public interest in withholding the information against the public interest in disclosure.

We recognize that there is a public interest in disclosure of information relating to National Parks. On the other hand, there is a strong public interest in withholding the information because the Secretary of State is currently considering the proposed extensions, including the Inspector's report, as part of the quasi-judicial process under Schedule 1 to the National Parks and Access to the Countryside Act 1949. This is a quasi-judicial process that has allowed people sufficient time to make representations to the Secretary of State and disclosure of the Inspector's report before the Secretary of State's decisions would adversely affect that process. Moreover, the report will be published when the decisions are issued, which will serve the public interest in disclosure of the information and there is no additional public interest to be served by earlier disclosure of the report.

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

The information disclosed in response to parts 1 – 3 of your request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on [GOV.UK](https://www.gov.uk), together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B 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,



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InformationRequests@defra.gsi.gov.uk

Annex A

Copyright

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Annex B

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 [REDACTED] Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: InformationRequests@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