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[Redacted]

Our ref: EIR2021/13158
Your ref: TGY/RIA/00191552/3

[Redacted]

28 June 2021

Dear Sir, Madam,

REQUEST FOR INFORMATION: Interim Gamebird Release Licence in England

Thank you for your request for information of 5 May 2021 about the interim gamebird release licence in England. 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).

Your information request and our response are set out below.

- 1. Please provide copies of all submissions received during the review period from the industry (defined to include representative industry bodies and individual shooting estates).*

We enclose a copy of the information you requested at Annex C. We have interpreted the 'review period' to refer to the dates between which Defra conducted a review into how gamebird releases on or near European sites are managed; 11 September 2019 – 30 October 2020.

- 2. Please confirm how many meetings were held between Defra officials and the industry to discuss the proposed interim licensing review between 1 November 2020 to date. Please provide the dates and times of any meetings, the individuals in attendance (and their affiliation), copies of any correspondence between Defra and the industry before or after those meetings (including emails, letters and notes of any telephone calls) and any minutes arising from them. We understand that during the Pandemic, meetings may have been held online. If such meetings were recorded, we request that you send the recording.*



We have interpreted 'to date' to mean the date that Leigh Day sent the EIR letter to Defra; 5 May 2021. There were 10 meetings between Defra Officials and industry to discuss the proposed interim licencing regime between 1 November 2020 and 5 May 2021.

Details of meetings are outlined in Annex D. Correspondence are set out in Annex E. There are no minutes or recordings of these meetings.

- 3. Please, in any event, provide copies of any correspondence between Defra and the industry outside of the consultation period between 1 November 2020 and today's date.*

We enclose a copy of the information that we consider to be within the scope of this request in Annex F.

This request for information appears to rule out of scope any correspondence exchanged during the three-week consultation period. In the interests of providing a comprehensive response to your request, we have decided to set out relevant correspondence exchanged within this time period in Annex G.

After careful consideration we have decided that the names and contact details should be withheld under regulations 12(3) and 13(1) and (2A) of the EIRs as the information constitutes personal data relating to persons other than you. These regulations exempt personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data protection principles in Article 5(1) of the General Data Protection Regulation (GDPR).

We consider that disclosure of this information is likely to breach the first data protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute 'fair' processing of the personal data because the individuals involved would not reasonably expect their names and contact details to be disclosed in relation to this request for information.

Information disclosed in response to this EIRs request is releasable to the public. In keeping with the spirit and effect of the EIRs 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.

We attach Annex A, explaining the copyright that applies to the information being released to you, and 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

[Redacted]

Information Rights Team
InformationRequests@defra.gov.uk

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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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 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Andrew Mobsby, Head of Information Rights via email at InformationRequests@defra.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's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted Defra's own complaints procedure.

The ICO's offices are currently closed so please visit their website on how to contact them during this period, here:

<https://ico.org.uk>

Additionally if you wish to make a complaint to the ICO please use the following link:

<https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>