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[Redacted]

By email: [Redacted]

Our ref: EIR2023/00373
13 January 2023

Dear [Redacted],

REQUEST FOR INFORMATION: Prince's consent for the Environment Act 2021

Thank you for your request for information of 7 January 2022 about Prince's consent for the Environment Act 2021. 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.

I would like to request the following information via the Environmental Information Regulations.

I understand that my request will take 20 working day to process but I would be grateful if you could acknowledge receipt via [Redacted]

NB: This is a revised request for information which concerns the principle of Prince's consent for the Environment Act 2021 formerly known as the Environment Bill. This new request follows the publication of ICO Decision Notice: IC-203320-R3Q6.

Please note that my reference to correspondence and communications in the questions below should include all traditional forms of correspondence such as letters and faxes, all emails irrespective of whether they were sent and or received through official and or private accounts and all messages sent through encrypted messaging services including but not limited to WhatsApp.

Please note that my reference to the then Prince Charles in the questions below include Prince Charles himself (irrespective of which of his titles he used), his Principal Private Secretary, any other private secretaries and assistant private secretaries and any member of his team /private office able to compose and or reply to correspondence and communication about Prince's consent on behalf the then Prince.

Please note that I am only generated in information generated between 1 January 2019 and 31 December 2019.

1....During the aforementioned period did the Secretary of State and or anyone acting on his behalf seek Prince's consent for the aforementioned piece of legislation.



2...If the answer to the above question is yes can you state on what date (s) consent was formally sought.

3...Could you please provide a copy of the correspondence and communication (s) in which the Secretary of State and or anyone acting on his behalf sought Prince's consent for the aforementioned piece of legislation.

4...Did Prince Charles and or anyone acting on his behalf respond to the request for Consent? If the answer is yes, can you, please provide a copy of this response.

5...On what date (s) was the aforementioned piece of legislation granted Prince's Consent.

Please find attached at Annex C the information held by Defra falling within scope of your request.

After careful consideration we have decided that some information in Annex C 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 UK 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 those individuals would not reasonably have expected their names to be made public.

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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Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the [Intellectual Property Office's website](#).

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 ^[Redacted], 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 can be contacted using the following link:

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