



Department
for Environment
Food & Rural Affairs

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[Redacted]

By email: [Redacted]

Our ref: EIR2021/12066
18 May 2021

Dear [Redacted]

REQUEST FOR INFORMATION: Badger Cull Zones

Thank you for your request for information of 3 May 2021 about badger cull zones. 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 require OS Maps outlining the boundaries of all cull zones in the 2020 badger cull and the same for all new proposed cull zones for 2021.

We are writing to inform you that Defra does not hold the information you have requested. Also, due to the risk to public safety, culling boundaries are not published. The exception at regulation 12(4)(a) of the EIRs, which relates to information which is not held at the time when an applicant's request is received, therefore applies to the information you have requested.

Regulation 12(4)(a) is a qualified exception, which usually means that a public authority is required to conduct a public interest test to determine whether or not information should be disclosed or withheld. However, the Information Commissioner's Office (ICO), who is the independent regulator for requests made under the EIRs, takes the view that a public interest test in cases where the information is not held would serve no useful purpose. Therefore, in line with the ICO's view, Defra has not conducted a public interest test in this case.

However, under our duty to advise and assist applicants in pursuance of regulation 9 you may wish to be aware that information on the counties for which badger control licence applications or expressions of interest were submitted, was made available on a county level via the opportunity to comment exercises undertaken by Natural England routinely. The latest of these can be found on GOV.UK at:

<https://www.gov.uk/government/consultations/bovine-tb-comment-on-an-application-for-a-badger-disease-control-licence-february-2021>



We can also confirm that to the best of our knowledge the maps outlining the boundaries of all cull zones are held by Natural England who can be contacted here:

foi@naturalengland.org.uk

We attach 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 the address below.

Yours sincerely

[Redacted]

Information Rights Team

InformationRequests@defra.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 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'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/>