



Department  
for Environment  
Food & Rural Affairs

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[Redacted]

By email: [Redacted]

Our ref: FOI2020/04683  
27 March 2020

Dear [Redacted]

**REQUEST FOR INFORMATION: Badger Culling in Derbyshire**

Thank you for your request for information of 27 February 2020 about Badger culling in Derbyshire. 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. Could you provide copies of all representations from (a) organisations and (b) Carrie Symonds made between 1st June 2019 and 15th September 2019 to DEFRA ministers and the Secretary of State regarding badger culling in Derbyshire?*
- 2. Could you provide records of all meetings held between 1st June 2019 and 15th September 2019 (including minutes, details of attendees and any supporting documents) that were attended by DEFRA ministers or the Secretary of State that were held to hear representations from (a) organisations and (b) Carrie Symonds about the badger culling in Derbyshire?*
- 3. Could you provide records of all phone calls held between 1st June 2019 and 15th September 2019 between DEFRA ministers or the Secretary of State regarding representations from (a) organisations and (b) Carrie Symonds being made about badger culling in Derbyshire?*

Following a search of our paper and electronic records, we have established that the information that you have requested is not held by Defra. The information is therefore exempt under 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.

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.

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](mailto: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 <sup>[Redacted]</sup>, Head of Information Rights, Area 5B, Nobel House, 17 Smith Square, London, SW1P 3JR (email: [InformationRequests@defra.gov.uk](mailto: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 at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF