



Department
for Environment
Food & Rural Affairs

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Mr Richard Bales
request-505554-fc9377f5@whatdotheyknow.com

Our ref: FOI2018/16937
3 September 2018

Dear Mr Bales,

REQUEST FOR INFORMATION: Potential impacts on Shale gas extraction

Thank you for your request for information of 2nd August, which we received on 2 August, about 'Potential impacts on Shale gas extraction'. We have handled your request under the Environmental Information Regulations 2004 (EIRs).

We want to be as open as possible in answering requests. The EIRs also require us to provide advice and assistance to help people obtain the information they are looking for and make good use of the EIRs. Unfortunately, your request is very broad in both time period and scope, potentially covering a vast amount of information. Gathering it together would therefore involve a significant cost and diversion of resources from the Department's other work.

By virtue of regulations 12(1) and 12(4)(b) of the EIRs, Defra may refuse to disclose environmental information if the request for the information is manifestly unreasonable and, in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information.

We consider that your request is manifestly unreasonable under regulation 12(4)(b) on cost grounds and, having carried out the above public interest test, we have concluded that, in all the circumstances of the case, the public interest falls in favour of maintaining the exemption.

In reaching our decision with respect to the public interest, we considered the following matters:

We recognise that there is a public interest in disclosure of information concerning the use of experts' advice and process to publication.

On the other hand, there is a strong public interest in withholding the information that may emerge because of the length of time it would take to assimilate, extract and compile potentially relevant information over a lengthy and poorly defined period, covering up to three years.

To assess the proportionality of this task on the team's workload, consideration has been given to the following aspects:



- The length of time over which information might be relevant is poorly defined but may span up to three years.
- There are multiple business areas involved in the areas of shale gas extraction and air quality. Information within the scope of your request relates to multiple government departments, agencies and non-departmental public bodies.
- The broad scope of the type of information requested.

It is our decision that to assimilate and assess such information would amount to a disproportionate diversion of resources from the provision of the Department's core functions.

Regulation 9 of the EIRs requires public authorities to provide advice and assistance to applicants where reasonable. We have therefore provided details below to assist you to formulate a request that can be handled at less cost.

The best way we can help you is to ask you to consider narrowing down your request to focus more clearly on the precise information you are seeking. You could, for example:

- reduce the time period of your request;
- narrow the scope of the held information to a smaller business area (for example, to AQEG's official documents within a specified time period).

Please note that we will handle your modified request as a new request. The 20-working-day timescale for responding to requests will therefore commence from the date that we receive the modified request.

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 me.

Yours sincerely

Guy Mawhinney
Information Rights Team
InformationRequests@defra.gsi.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 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Nick Teall, Head of Information Rights, Area 4A, 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'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