

22 October 2019



Ms Clarke
request-608058-6c770187@whatdotheyknow.com

BM 6283
London
WC1N 3XX

Dear Ms Clarke

Access to information – Request No RFI 4809

Thank you for your request for the information detailed below which we received on 29 September 2019. Your request has been considered under the Environmental Information Regulations 2004.

You requested the following information and our response has been provided below:

**How many Badgers have been killed on September 29th by cage trapping.
Please separate into Badger cull zones (##) and time of day.**

The number of badgers removed on 29 September 2019 is being withheld under EIR Regulation 12(4)(d) – in course of completion (see below).

Natural England does not require the reporting of the time of day that badgers are dispatched, therefore, EIR exception 12(4)(a) – information not held, applies.

The total number of badgers removed from each licensed area is published on an annual basis. For previous years this information can be found here, under Annex A2:
<https://www.gov.uk/government/collections/bovine-tb-controlling-the-risk-of-bovine-tb-from-badgers#monitoring-and-evaluation>.

Regulation 12(4)(d)

We are currently withholding the requested information under the exception in Regulation 12(4)(d) which states:

“...a public authority may refuse to disclose information to the extent that-

- (d) the request relates to material which is still in the course of completion, to unfinished documents or to incomplete data;”.*

Whilst Natural England believes in openness and transparency, as a public body, Natural England has a duty to ensure that the data it releases is scientifically accurate and not misleading. The licensed activities are not yet complete and the data has not yet been fully submitted, quality assured, analysed and audited.

In view of this we have decided not to disclose the requested information at the moment. In applying this exception, we have had to balance the public interest in withholding the information against the public interest in disclosure. These are the factors we considered in deciding where the public interest lay.

We believe that, in this case, the public should be informed of the results of the licence activity. However, we feel that the release of this information before completion could mean releasing information that is incomplete and possibly inaccurate and/or misleading.

We feel there is little public interest in releasing this information prior to completion of the licence activity, and believe this is a legitimate reason to allow Natural England to engage this exception and withhold the information. The full results for 2019 will be published once it is complete and has been quality assured, analysed and audited. Following previous years, this is likely to be before the end of the year.

If you have any queries about this letter, please contact the Specialist Licensing Team by emailing SpecialistLicensing@naturalengland.org.uk. As you may be aware, under the legislation should you have any concerns with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, please contact the Specialist Licensing Team, at the above postal address or email address. Under Regulation 11(2) this needs to be done no later than 40 working days after the date of this letter.

If you are not content with the outcome of that complaint or the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the internal review procedure provided by Natural England. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Telephone: 0303 123 1113, www.ico.org.uk.

Yours sincerely

Specialist Licensing