



Border Force

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Mr Rullman

Email: request-405782-54b0554d@whatdotheyknow.com

Reference: 43889

Date: 7 June 2017

Dear Mr Rullman

FREEDOM OF INFORMATION REQUEST

Thank you for your e-mail of 9 May, in which you ask for information on the funding of the Fort Vert nature reserve in Calais, France. Your request has been handled as a request for information under the Freedom of Information Act 2000.

I can confirm that the Home Office holds the information that you have requested. However, after careful consideration we have decided that the information is exempt from disclosure under section 31 of the Freedom of Information Act. This provides that information can be withheld if its disclosure would or would be likely to, prejudice (a) the prevention and detection of crime and (b) the operation of the immigration controls.

Arguments for and against disclosure in terms of the public interest, with the reasons for our conclusion, are set out in the attached Annex.

If you are dissatisfied with this response you may request an independent internal review of our handling of your request by submitting a complaint within two months to the address below, quoting reference 43889. If you ask for an internal review, it would be helpful if you could say why you are dissatisfied with the response.

Information Rights Team
Home Office
Third Floor, Peel Building
2 Marsham Street
London SW1P 4DF
e-mail: foirequests@homeoffice.gsi.gov.uk

As part of any internal review the Department's handling of your information request will be reassessed by staff who were not involved in providing you with this response. If you remain dissatisfied after this internal review, you would have a right of complaint to the Information Commissioner as established by section 50 of the Freedom of Information Act.

Yours sincerely

H Reid
Border Force – Information Rights Team

Freedom of Information request from Mr H Rullman (reference 43889)

Information requested:-

At the location of the former migrant camp 'The Jungle' in Calais a nature reserve called 'Fort Vert' is now being constructed (http://www.conservatoire-du-littoral.fr/siteLittoral/504/28-fort-vert-62_pas-de-calais.htm). To my understanding this is partially being funded by the UK. Therefore I would like to request information on the following:

- 1. Is this money part of the £17m agreement made between France and the UK in March 2016? If not, what agreement was made to facilitate this specific funding?**
- 2. How much money was allocated to fund the nature reserve Fort Vert?**
- 3. What part of the construction and maintenance of the nature reserve is the UK funding being spent on?**
- 4. What is the time period assigned to this funding?**

I would also like to request all communiques between the relevant UK and French authorities (La Région Hauts-France/City Council of Calais) concerning the nature reserve Fort Vert at the location of the former migrant camp 'The Jungle'.

Response:-

The information is exempt from disclosure under section 31(1)(a) and (e) of the FOI Act. Section 31(1) (a) and (e) provide that information is exempt if its disclosure would or would be likely to prejudice (a) the prevention or detection of crime and (e) the operation of the immigration controls

Public interest test in relation to section 31(1)(a) and (e)

Some of the exemptions in the FOI Act, referred to as 'qualified exemptions', are subject to a public interest test (PIT). This test is used to balance the public interest in disclosure against the public interest in maintaining the exemption. We must carry out a PIT where we are considering using any of the qualified exemptions in response to a request for information.

The 'public interest' is not the same as what interests the public. In carrying out a PIT we consider the greater good or benefit to the community as a whole if the information is released or not. Transparency and the 'right to know' must be balanced against the need to enable effective government and to serve the best interests of the public.

The FOI Act is 'applicant blind'. This means that we cannot, and do not, ask about the motives of anyone who asks for information. In providing a response to one person, we are expressing a willingness to provide the same response to anyone, including those who might represent a threat to the UK.

Considerations in favour of disclosing the information

Border Force recognise that there is a general public interest in openness and transparency in all aspects of government. We also accept that the public have had concerns for a number of years, and that they will continue to have those concerns about the former migrant camp in Calais. Plans about the the future use of the area and the measures that we have formulated to enforce the security of the area is of interest to the public.

Considerations in favour maintaining the exemption

We accept that the security arrangements in Calais and the surrounding region are of high interest to the public and the media. However we have carefully considered your request and have decided that we cannot disclose information on the whereabouts and funding of our investments. This information could provide criminals and terrorists with an overview of the strengths and weaknesses of the security measures we have in place in Calais and the surrounding area. Renewed attempts could then be made to penetrate security measures based on dedicated expenditure information .

We conclude that the balance of the public interest lies in maintaining the exemption and withholding the information.

Date []