



Department for Business, Energy & Industrial Strategy

Energy Development & Resilience
Department for Business, Energy &
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Mr Richard Bales
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FOI2019/02110

03 April 2019

Dear Mr Bales,

Thank you for your email of 6 February where you requested the following information:

1. Were BEIS, or the Shale Gas Commissioner, or the responsible Government Ministers given prior notice by INEOS (or any third party on their behalf) that this statement was to be issued? Please give details and copies of any relevant correspondence, details and minutes of relevant meetings that took place between the parties, and any records of any other related discussions that were held in advance of the press release.

2. What approaches had INEOS (or any third party on their behalf) previously made to BEIS, the Shale Gas Commissioner, or the responsible Government Ministers to lobby for changes to the Traffic Light System? Please give relevant details of all such occasions.

3. Have any of the recognised Regulatory Agencies passed details to BEIS of approaches received from INEOS (or any third party on their behalf) in order to argue for changes to the Traffic Light System? Please supply details and copies of any such communications.

4. In the last three months, what statements or other communications has BEIS given to INEOS (or any third party on their behalf), either before or after the press statement on February 4th, relating either to the Traffic light System or more generally to the future development of the Shale Gas Industry in the UK?

We have considered your request in accordance with the Environmental Information Regulations 2004 (EIRs) as the information you have asked for falls within the definition of 'environmental information' as stated in the EIRs.

Following a search of our records, we have established that the Department for Business, Energy and Industrial Strategy (BEIS) holds information in scope of your request.

- Q1 and Q3 - We do not hold any information in scope relating to these questions.
- Q2 – Information in scope relating to this question can be found attached at Annex A.

Some information is exempt under Regulation 13(1) and has been redacted appropriately. Further information on this Regulation can be found below.

- Q4 – Information in scope relating to this question can be found attached at Annex B.

Some information is exempt under Regulation 13(1) and has been redacted appropriately. Further information on this Regulation can be found below.

Additionally, the Commissioner for Shale Gas is separate from BEIS and may hold relevant information. The Commissioner is not currently subject to the Freedom of Information Act, although this is under review with the Cabinet Office. However, we believe any environmental information she may hold would fall within scope of the EIRs. If you wish to make a request for information direct to the Commissioner's office, she can be contacted at the following:

Natascha Engel
Commissioner for Shale Gas
Email: Natascha.engel@shalecommissioner.org.uk

Regulation 13(1) Personal information

Some information constitutes personal data and has been withheld. Regulation 13(1) of the EIRs provides an absolute exemption for personal data which then falls to be dealt with under the Data Protection Act (DPA) 2018. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be lawful, fair and transparent and must comply with one of the conditions at Article 6(1) the General Data Protection Regulation (GDPR). We do not think that it is lawful, fair and transparent to release the names of third parties and do not think that any of the relevant conditions apply.

Appeals procedure

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to the Information Rights & Records Unit:

Information Rights & Records Unit
Department for Business, Energy and Industrial Strategy
1 Victoria Street
London SW1H 0ET
Email: FOI.Requests@beis.gov.uk

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Yours sincerely,

Energy Development & Resilience