

Ms Emily Mott

Our ref: SSD59881

Your ref:

Date: 16 October 2017

Dear Emily

**RE: Request for information under the Freedom of Information Act 2000 (FOIA) /
Environmental Information Regulations 2004 (EIR)**

Thank you for your request of 1 September 2017 for copies of all recorded information and/or correspondence between UK Oil and Gas (UKOG) and the Environment Agency, relating to either Markwells Wood or the Bedhampton/Havant water catchment, between 1 May 2017 and 4 September 2017. I would like to apologise for our delay in providing you with a full response to your enquiry.

We have considered your request under the provisions of the Freedom of Information Act 2000 / Environmental Information Regulations 2004 (EIR). The Act requires that we respond to requests by advising you whether or not information is held, and if so by providing you with that information.

EIR Regulation 3(2) states that information is held if it is in our possession and has been produced or received by us, or it is held by another person on our behalf at the time the request is received.

Information not held

In this case, the information you have requested is not held by the Environment Agency, and we are therefore refusing your request on the grounds that there is no information we can provide.

We have checked and we have no records of any such recorded information and/or correspondence with UKOG.

Where a request is for environmental information, the Regulations allow us to refuse to disclose it if the exception at EIR Regulation 12(4)(a) applies. The regulation states that a public authority may refuse to disclose environmental information to the extent that it does not hold that information when an applicant's request is received.

It is not possible for us to conduct a public interest balancing test because the reason for non-disclosure is that the information is not held.

Rights of appeal

If you are not satisfied you can contact us within 2 calendar months to ask for our decision to be reviewed. We shall review our response to your request and give you our decision in writing within 40 working days.

If you are still not satisfied following this, you can raise a concern with the Information Commissioner, who is the statutory regulator for Freedom of Information and the Environmental Information Regulations. The contact details are:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
Website: <http://ico.org.uk>

Yours sincerely

Customers & Engagement Team

Environmental Planning and Engagement | Solent and South Downs Area |
Environment Agency | Guildbourne House, Chatsworth Road, Worthing, BN11 1LD

SSDEnquiries@environment-agency.gov.uk

National Contact Call Centre 03708 506506