



Department
for Environment
Food & Rural Affairs

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REDACTED

Our ref: RFI 6594

14 July 2014

Dear REDACTED,

REQUEST FOR INFORMATION: Internal study and external report on the impacts of energy infrastructure on the environment and economy

I am writing to respond to your request for the following information:

- 1) *The report, 'Impacts of Energy Infrastructure on UK House Prices', Tender Reference CCM0101, which was commissioned by Defra from the consultancy Frontier Economics in July 2013. The Terms of Reference for the study states that it was due for completion on 4th September. There is a strong public interest in publishing this report, notably as the Secretary of State publicly committed to publishing its findings in August this year, and it has already generated considerable media coverage.*
- 2) *The separate precursor study on energy generation and externalities that was written by Defra economists, prior to the commissioning of the Frontier Economics report.*
- 3) ***In addition***, *I ask that you please disclose how much money has been spent on these two reports - both the consultancy fees, and an estimate of the time and resource spent by Defra civil servants on the two studies - including how much time has been spent on it since 19th Dec 2013, when you stated it remained 'incomplete'.*

We received the request on 16 May 2014 and sought an extension of 20 working days on 16 June 2014. As you know, we have handled your request under the Environmental Information Regulations 2004 (EIRs).

The EIRs apply to requests for environmental information, which is a broad category of information defined in regulation 2 of the EIRs. Public authorities are required to handle requests for environmental information under the EIRs. They give similar access rights to the Freedom of Information Act 2000 (FOIA).

The information you requested under items (1) and (2) is being withheld as it falls under the exception in regulation 12(4)(d) of the EIRs, which relates to material

which is still in the course of completion, unfinished documents or incomplete data. This exception applies because the reports you have requested are not finished. We do not have a planned publication date.

In deciding not to release the incomplete reports, we have had to balance the public interest in withholding the information against the public interest in disclosure. We recognise that there is a public interest in disclosure of information concerning the impacts of electricity generation on the environment and rural economy. We also understand the importance of transparency in public policymaking, and the need for openness in the publication of results transpiring from government-funded research such as this.

On the other hand, there is a strong public interest in withholding the requested information because the reports are only partially complete and any conclusions drawn from such unfinished analysis would be misleading. The government has a duty to ensure that information which it releases into the public domain is based upon robust evidence and analysis.

Therefore, we have concluded that in all the circumstances of the case, the information in items (1) and (2) should be withheld.

In addition, I am able to respond to your request item (3). The response is in two parts, as not all of this information can be disclosed.

- (a) I am able to disclose that the contract with Frontier Economics was for £58,730 (excluding VAT) for their work on project CCM0101, 'Impacts of Energy Infrastructure on UK House Prices', which remains incomplete.
- (b) However, the rest of the information that you have requested in item (3) (i.e. an estimate of the time and resource spent by Defra civil servants on the two studies) is not held by Defra as this is not something which is routinely logged or collected. This information is therefore exempt under regulation 12(4)(a) of the EIRs, which relates to information which is not held at the time when an applicant's request is received. Regulation 12(4)(a) is a qualified exception, which usually means that a public authority is required to conduct a public interest test to determine whether or not information should be disclosed or withheld. However, the Information Commissioner, who is the independent regulator for requests made under the EIRs, takes the view that a public interest test in cases where the information is not held would serve no useful purpose. Therefore, in line with the Information Commissioner's view, Defra has not conducted a public interest test in this case.

In keeping with the spirit and effect of the EIRs, and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be

published on www.gov.uk together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B 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,

REDACTED

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Annex B

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 Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@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 for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF