



Department
for Environment
Food & Rural Affairs

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[REDACTED]
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Our ref: RFI 6456
9 September 2015

Dear [REDACTED]

REQUEST FOR INFORMATION: Badger Cull Costs and Culled Badger Numbers

Thank you for your request for information about badger cull costs and culled badger numbers, which we received on 28 March 2014. We have handled your request under the Environmental Information Regulations 2004 (EIRs). This letter updates our previous response dated 01 May 2014.

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).

Your questions and the responses are below.

- 1. Please disclose the cost of the (a) cages, (b) bait, (c) gloves, masks and disinfectant, and (d) ammunition for shooting badgers at close range which were used during the original six weeks of the pilot badger culls in (i) West Somerset and (ii) West Gloucestershire.**

And

- 2. Please disclose the cost of the (a) cages, (b) bait, (c) gloves, masks and disinfectant, and (d) ammunition for shooting badgers at close range which were used during the extended period of the pilot badger culls in (i) West Somerset and (ii) West Gloucestershire.**

In our previous response we explained that Defra was responsible for purchasing cages, but was withholding the costs of the cages under regulation 12(5)(e), protection of economic interests, Defra was likely to procure cage traps in 2014, and the release of cage costs would affect the tender process. Further to that response and the Information Commissioner's Decision Notice FS50556407 of 9 April 2015, we are writing to provide additional information. In April 2014, we published information indicating that we had purchased a stockpile of 1,200 cage traps in 2013 to augment existing stocks. A copy is available at <https://www.gov.uk/government/publications/pilot-badger-cull-cages>. In January 2015, we published information including a breakdown of the costs of the first year of the two badger culls. A copy is available at



<https://www.gov.uk/government/publications/2013-badger-cull-costs>. To supplement the above information, and in compliance with Decision Notice FS50556407, we can inform you that Defra paid £89,066 for the 1,200 cage traps purchased in 2013. However, as already stated, these cage traps were used to augment existing stocks for various uses including culling, vaccination and research projects. We did not keep a record of which of the recently purchased cage traps were loaned for use in the culls. Thus we do not hold information to calculate the costs of the cage traps used in the badger culls in West Somerset and West Gloucestershire in 2013, the information you requested in March 2014. All other items were purchased by the NFU or the cull companies. Defra does not hold information on their cost and therefore regulation 12(4)(a), information not held at the time of the request, applies.

3. Please disclose the labour costs of cage-trapping and shooting badgers during the (a) six-week pilot cull and (b) extended period culls in (i) West Somerset and (ii) West Gloucestershire.

Labour costs were met by the NFU and cull companies. Defra does not hold information on their costs and therefore regulation 12(4)(a), information not held at the time of the request, applies.

4. Who paid for the (a) cages, (b) bait, (c) gloves, masks and disinfectant, (d) ammunition and (e) labour? Was it (i) the culling companies, (ii) farmers, (iii) landowners, (iv) Defra or (v) others?

As mentioned above at questions 1 and 2, Defra paid for cages. All other items were paid for by the NFU and cull companies.

5. If Defra did not pay for the items listed at question 4, will it be reimbursing the parties who did pay for them? Are the relevant parties asking to be reimbursed? What is the amount that Defra will be paying towards these costs in (i) West Somerset and West Gloucestershire? When will the money be reimbursed by Defra?

Defra has no plans to reimburse NFU or the cull companies for any of the costs they incurred.

6. How many badgers were killed using the method of cage trapping and shooting during the (a) six week pilot cull and (b) the extended period in (i) West Gloucestershire and (ii) West Gloucestershire?

The information was published on 3 April 2014 in the following reports:

- Monitoring the efficacy of badger population reduction by controlled shooting during the first six weeks of the pilots, AHVLA
- The efficacy of badger population reduction by controlled shooting and cage trapping, and the change in badger activity following culling from 27/08/2013 to 28/11/2013, AHVLA

These reports are available at <https://www.gov.uk/government/publications/pilot-badger-culls-in-somerset-and-gloucestershire-report-by-the-independent-expert-panel>

In our previous response we provided the information requested in tabular form. Unfortunately, in compiling the table for the purpose of responding to your request, we introduced some errors so we have removed the table from this updated response.

7. When was the first badger killed by the method of cage-trapping and shooting during the pilot badger cull in (i) West Somerset and (ii) West Gloucestershire?

Area	Pilot Cull (Cage Trapped)	Pilot Cull (Shooting)	Extended Period (Cage Trapped)	Extended Period (Shooting)
West Gloucestershire	4 September	3 September	25 October	28 October
West Somerset	28 August	26 August	12 October	11 October

The Regulations and Public Interest Test

Regulation 12(4)(a), information not held at the time of the request, 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.

Regulation 12(5)(e), protection of economic interests has been applied to the request for cage costs. In applying this exception, 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 operations of the badger pilot culls in 2013, given the controversial nature of the policy and the wider interest from the general public, parliament and interested NGOs in how the two pilots were delivered on the ground.

On the other hand, there is a strong public interest in withholding the information because, as Defra is likely to procure cage traps this year, releasing this information would prejudice the tendering process and damage Defra’s commercial interests in securing best value for money. Defra has a strong commercial interest in a tendering process that can secure the best prices from its suppliers. Releasing data on the price of cage traps units purchased in 2013 from our preferred supplier would effectively create a *de minimis* unit price for cage traps in future procurement exercises. Disclosure of these figures would actively undermine Defra’s ability to obtain the best value for money through the tendering process, damaging the department’s commercial interests as a result.

Therefore, we have concluded that in all the circumstances of the case, this information should be withheld.

Information disclosed in response to this EIR request is releasable to the public. In keeping with the spirit and effect of the EIRs and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on [GOV.UK](https://www.gov.uk), together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

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,


Information Rights Team
Email: informationrequests@defra.gsi.gov.uk

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 or logos) 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 regulation 18 of the EIRs within 40 working days of the date of this letter. Please write to [REDACTED] Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: informationrequests@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 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