



Department
for Environment
Food & Rural Affairs

Seacole Building
Floor 1
2 Marsham Street
London
SW1P 4DF

T: 03459 33 55 77
helpline@defra.gsi.gov.uk
www.gov.uk/defra

P Smith
By email: request-487339-ec930c31@whatdotheyknow.com

Our ref: FOI2018/12182
22 June 2018

Dear P Smith

REQUEST FOR INFORMATION: The River Lea

Thank you for your request for information, which we received on 19 May 2018. We have handled your request under the Freedom of Information Act (2000).

The information you requested and our response is detailed below.

“The date the group was established;

There is no name or working title established for this group, therefore no date. The information is not held by Defra

A list of the organisations represented in the group and the job title of each organisation's representative including any DEFRA representative(s);

A list of organisations and of those that attended are.

- Local Government Association
- Port of London Authority
- Association of Inland Navigation Authorities
- Canal & River Trust
- London Councils
- Ministry of Housing, Communities and Local Government
- Environment Agency
- The Broads Authority
- Defra

Please note information relating to the job titles of those who attended the meeting are being withheld under sections 40(2) and 40(3)(a)(i) of the FOIA, as the information constitutes personal data relating to persons other than you.

These sections provide that personal data relating to other persons is exempt information if disclosure would breach any of the data protection principles in the Data Protection Act 1998 (DPA). We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data. Disclosure would not constitute ‘fair’ processing of the

personal data because the individuals would not reasonably have expected information that could identify them to be made public.

It is our policy that any names or identifiable information below a Senior Civil Servant (SCS) should not be released to the public and therefore falls within this exemption.

The dates of the group meetings to date;

4 December 2017

The group's terms of reference;

There are no terms of reference for this group, therefore the information is not held.

The contact details for how the public may contact the group;

There are no contact details for this group, therefore the information is not held.

Communications from DEFRA to the group members inviting them to join the group, with any explanatory memoranda or reports that were sent with the invitations;

Please see the email invites to the single meeting attached at Annex A.

Information in Annex A has been redacted and withheld as it falls under the exemptions in section 35(1)(a) of the FOIA, which relates to the formulation of Government policy, and sections 40(2) and 40(3)(a)(i) of the FOIA, as the information constitutes personal data relating to persons other than you. For more information on these sections please see below.

The agendas for the group meetings;

This information is being withheld as it falls under the exemptions in section 35(1)(a) of the FOIA, which relates to the formulation of Government policy, and sections 40(2) and 40(3)(a)(i) of the FOIA, as the information constitutes personal data relating to persons other than you.. For more information on these sections please see below.

The reports, spreadsheets, documents and other information created by or for the group; and the minutes or notes of the group meetings to date.”

We can confirm that the only information that Defra hold within the scope of your request is the minutes of the meeting.

This information is being withheld as it falls under the exemption in section 35 (1)(a) of the FOIA, which relates to the formulation of Government policy. For more information on section 35 (1)(a) please see below.

Section 35(1)(a)

In applying the exemption in section 35(1)(a) of the FOIA, 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 initial discussion of a multi-agency group on houseboats as the release of this information would further public understanding of the issue and facilitate accountability and transparency.

On the other hand, information in relation to this meeting is subject to ongoing consideration and we consider that disclosure at this point in time could prejudice any policy development and implementation. Preservation of a safe space free from external interference and distraction where internal discussions can freely take place is paramount to achieving a balanced and objective view of the issues.

Sections 40(2) and 40(3)(a)(i)

These sections provide that personal data relating to other persons is exempt information if disclosure would breach any of the data protection principles in the Data Protection Act 1998 (DPA). We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data. Disclosure would not constitute 'fair' processing of the personal data because the individuals would not reasonably have expected their names to be made public.

It is our policy that any names below a Senior Civil Servant (SCS) should not be released to the public and therefore falls within this exemption.

Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA 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.

We attach Annex B, which explains the copyright that applies to the information being released to you.

We also attach Annex C 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,

D Lynch
FOI/EIR Case Advisor
Information Rights Team
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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Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the [Intellectual Property Office's website](#).

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 Nick Teall, Head of Information Rights, Seacole Building, Floor 1, 2 Marsham Street, London, SW1P 4DF (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, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted Defra's own complaints procedure. The ICO can be contacted at:

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