

**Freedom of Information Act 2000 (FOIA)**  
**Environmental Information Regulations 2004 (EIR)**  
**Decision notice**

**Date:** 20 February 2020

**Public Authority:** Natural England  
**Address:** County Hall  
Spetchley Road  
Worcester  
WR5 2NP

**Decision (including any steps ordered)**

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1. The complainant requested information from Natural England relating to licences for the killing of ravens.
2. The Commissioner's decision is that Natural England applied regulation 7(1) correctly when it applied an extension to the time to respond to the complainant's request, and having responded within 40 working days of receipt of the request for information, it handled the request in line with regulation 5(2) of the EIR.
3. The Commissioner does not require Natural England to take any steps.

**Request and response**

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4. On 19 July 2019, the complainant wrote to Natural England and requested information in the following terms:

*"Please could you provide me with the following information:*

- 1) Have any licence applications, including renewals, been made to kill Ravens since the 8th May 2019 until the 18th July 2019. If so, how many?*
- 2) If so, please include copies of all the licence applications.*
- 3) If so, please provide copies of any technical assessments relating to those licences*

- 4) *If so, please provide any copies of licences that may have been issued*
- 5) *If any of the licences that may have been issued are renewals, could you please let me know which these licences are, and which previous licence reference number they relate to.*
- 6) *If any licences have been issued can you let me know if they are within, or adjacent to a SSSI, SPA, or National Park*
- 7) *If applications have been received and refused, please send copies of the refusal letter."*
5. Natural England acknowledged the request for information on 22 July 2019 advising the complainant that it would handle his request under the EIR.
6. Natural England wrote to the complainant on 16 August 2019 advising of an extension of time to respond to his request under the EIR by a further 20 working days.
7. Natural England provided a response on 17 September 2019.

### **Scope of the case**

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8. The complainant contacted the Commissioner on 6 November 2019 to complain about the way his request for information had been handled and he specifically requested a decision notice recording the timeliness of the response by Natural England.
9. The scope of this case and of this notice covers whether Natural England complied with its obligations under regulation 5(2) and regulation 7(1) of the EIR.

### **Reasons for decision**

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#### **Was the requested information environmental?**

10. Regulation 2(1)(c) of the EIR defines environmental information as being information on:
- "measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in (a) and (b) as well as measures or activities designed to protect those elements;"*
11. The request is for information about licences to kill ravens. The Commissioner believes that these licences would be an administrative

measure affecting or likely to affect elements and factors referred to in regulation 2(1)(a) and regulation 2(1)(b). For procedural reasons, the Commissioner has therefore assessed this case under the EIR.

## **Regulation 5**

12. Regulation 5(1) of the EIR states that:

*"a public authority that holds environmental information shall make it available on request."*

13. Regulation 5(2) of the EIR states that:

*"Information shall be made available under paragraph (1) as soon as possible and no later than 20 working days after the date of receipt of the request."*

14. The Commissioner considered that the request in question fulfilled the above criteria and therefore constituted a valid request for recorded information under the EIR.

## **Regulation 7**

15. Regulation 7(1) of the EIR states that:

*"Where a request is made under regulation 5, the public authority may extend the period of 20 working days referred to in the provisions in paragraph (2) to 40 working days if it reasonably believes that the complexity and volume of the information requested means that it is impracticable either to comply with the request within the earlier period or to make a decision to refuse to do so."*

16. In this case, Natural England informed the complainant of its intention to extend the time for compliance on 16 August 2019, which was within 20 working days of receipt.

17. From the evidence provided to the Commissioner in this case, it is clear that Natural England responded substantively to the request within 40 working days of receipt.

18. The Commissioner's decision is that Natural England correctly applied regulation 7(1), and in doing so, did not breach regulation 5(2) of the EIR.

## Right of appeal

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19. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)  
GRC & GRP Tribunals,  
PO Box 9300,  
LEICESTER,  
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

20. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
21. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Signed .....**

**Andrew White**  
**Group Manager**  
**Information Commissioner's Office**  
**Wycliffe House**  
**Water Lane**  
**Wilmslow**  
**Cheshire**  
**SK9 5AF**