

Please forward to your Freedom of Information (FOI) Officer

Dear FOI Officer at the Greater London Authority (GLA)

13 May 2012

LETTER REQUESTING ENVIRONMENTAL INFORMATION

Please confirm receipt of this request.

I am writing on behalf of Clean Air in London to request information under the Environmental Information Regulations 2004/Freedom of Information Act 2000. In order to assist you with this request, I am outlining my query as specifically as possible.

*** Background to my request ***

I understand that the Mayor of London and/or the GLA has helped establish the Air Quality Initiative of the Regions (AIR) Group which is influencing discussions about the future shape of the revised Air Quality Directive and that he or it is also working with the Joint Air Quality Initiative (JOAQUIN) Project, a collective of cities and regions across North West Europe. See: <http://mqt.london.gov.uk/mqt/public/question.do?id=40550>.

*** Primary purpose of request ***

I wish to understand what the Mayor of London and/or GLA is doing to influence directly or indirectly the future shape of the revised Air Quality Directive i.e. Directive 2008/50/EC.

You will appreciate this request relates to the control of harmful emissions to air and public health. You are also likely to be aware of the overwhelming public interest in this issue.

*** Examples of types of information ***

I would be interested in any information held by the GLA or the GLA Group relating to my request that has been produced since 1 June 2010. For example, correspondence about the aims of the initiative(s), minutes of meetings or emails or any impact or other assessments that might justify (or otherwise) the Mayor's stance on this issue. I understand I do not have to specify particular files or documents and that it is the GLA's responsibility to provide the information I require. If you need further clarification, please contact me by email. I would like to receive the information in electronic and paper form please. Paper copies can be sent marked for my attention.

If my request is denied in whole or in part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all non-exempt material. I reserve the right to appeal your decision to withhold any information or to charge excessive fees. If you plan to charge for this information, I would ask that you pay particular attention to the ruling on fees made by the Information Tribunal 28 March 2006: Mr David Markinson v. Information Commissioner.

This decision makes clear that public authorities cannot charge an unreasonable amount for environmental information. It directed King's Lynn and West Norfolk Borough Council to overturn their charging structure and adopt instead a price of 10p per photocopied A4 page. Section 44 of the Tribunal decision states that a public authority can only exceed the guide price if it can demonstrate a good reason to do so, and in considering whether any such reason exists the public authority should:

- i. take due regard of the guidance set out in the Code of Practice on the discharge of the obligations of public authorities under the Environmental Information Regulations 2004 and the Guidance to the Environmental Information Regulations 2004, both published by Defra,

to the effect that any charge should be at a level that does not exceed the cost of producing the copies;

- ii. disregard any costs, including staff costs, associated with the maintenance of the information in question or its identification or extraction from storage; and
- iii. disregard any factors beyond the number and size of sheets to be copied, in particular, the real or perceived significance of the content, or the effect that any charging structure may have on the GLA's revenue or its staff workload.

I look forward to your response within the 20-working-day time limit, and would be grateful if you could confirm in writing that you have received this request.

Thank you and regards,

Simon

Simon Birkett
Founder and Director