



Department
for Environment
Food & Rural Affairs

T: 03459 33 55 77 or
08459 33 55 77
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www.gov.uk/defra

Our ref: RFI 7162
Date: 17 February 2015

Dear [REDACTED]

REQUEST FOR INFORMATION: 50 HIGHEST MODELLED NO₂ CONCENTRATIONS

Thank you for your request for information, which we received on 17 January, about the 50 road links or other modelled locations within the UK with the highest modelled annual mean concentrations of nitrogen dioxide (NO₂) for the latest available calendar year and future modelled years, and any information held by Defra regarding this request. 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).

In order to provide you with information as quickly as possible we have considered your request in two parts.

I enclose a copy of the following information you requested:

- A list containing the 50 road links with highest modelled annual average NO₂ concentrations for the most recent calendar year available (2013);
- Lists of the 50 road links with highest projected modelled annual average NO₂ concentrations for the future years 2015, 2020, 2025 and 2030.

Consistent with your request, these lists are provided in an excel spreadsheet.

We have attempted to contact you by telephone regarding the second part of your request, for 'any information held by Defra regarding my requests e.g. maps or tables'; however we have been unable to reach you at the contact telephone number you provided. Where a request is formulated in too general a manner and could be refused under regulation 12(4)(c), the EIRs allow public authorities to request that applicants provide further particulars and require them, as far as it would be reasonable, to provide advice and assistance to applicants to enable them to describe more clearly the information requested so that the public authority can identify or locate it.

It is clear that we will not be able to answer this part of your request without further clarification. We therefore require you to provide further information to enable us to identify and locate the information that you have requested, and are applying Regulation 12(4)(c) of the EIRs to this part of your request.



If you were to make a new request for a narrower category of information, it may be that we could comply with that request, although I cannot guarantee that this will be the case. In particular, it would be useful to know what types of information you are most interested in; for example Defra holds annual compliance assessment reports, information on the 50 highest NO₂ concentrations within each UK agglomeration/zone, as well as tables of supporting information, such as lists of agglomeration codes.

Please note that if you submit a modified request, we will handle it as a new request and so the 20-working-day deadline for responding to requests would then commence from the date that we receive the modified request. By virtue of regulations 12(1) and 12(4)(b) of the EIRs, Defra may refuse to disclose environmental information if the request for the information is manifestly unreasonable and, in all the circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information. I would ask, therefore, that you are as specific as possible with your request, so as to enable us to respond.

In keeping with the spirit and effect of the EIRs and 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 the address below.

Yours sincerely,


Defra FOIA and EIRs 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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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 [REDACTED] 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