



Department
for Environment
Food & Rural Affairs

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[REDACTED]
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Our ref: EIR RFI 6857
Date: 9th October 2014

Dear [REDACTED]

REQUEST FOR INFORMATION: Air Pollution Forecast Data for Brecon Beacons 8-12th July 2013.

Thank you for your request for information about *air pollution forecasts for 12, 13 and 14 July 2013 for the Brecon Beacons and neighbouring areas*, which we received on 30th August 2014. As you know, we have handled your request under the Environmental Information Regulations 2004 (EIRs). Further to our e-mail of 7th October, we apologise for the delay in replying to you.

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).

I enclose a copy of the information you requested:

- Forecast data 8-14 July 2013.xls
- Hourly Ozone Measurements 8-14 July 2013.xls
- Daily Max 8 Hour Mean 8-14 July 2013.xls

Forecasts with a lead time greater than 1 day are not archived so cannot be provided. The date and time of the forecast data refers to the date that the forecast was published. The index values are a prediction of the following day's air quality. Forecast maps were generated on UK Air website based on the attached raw data but have not been archived so are not provided.

I have provided both hourly ozone data (Hourly Ozone Measurements 8-14 July 2013.xls) as well as daily maximum 8 hour mean data (Daily Max 8 Hour Mean 8-14 July 2013.xls) – the metric used to calculate the daily air quality index (DAQI).



You have also requested copies of communications between Defra, the Health & Safety Executive, the Police and Coroner's Office. Following a search of our paper and electronic records, I have established that no such communications have been identified and therefore the information that you have requested is not held by Defra.

The information is therefore exempt under regulation 12(4)(a) of the EIRs, which relates to information which is not held at the time when an applicant's request is received. Regulation 12(4)(a) 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.

In keeping with the spirit and effect of the EIRs, and in keeping with 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 me.

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 Mike Kaye, 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