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Food & Rural Affairs

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Mr Kiron Reid
request-512948-402c650a@whatdotheyknow.com

Our ref: FOI2018/18546
24 September 2018

Dear Mr Reid,

REQUEST FOR INFORMATION: Policies for dealing with Buddleia

Thank you for your request for information of 24 August about Policies for dealing with Buddleia. You asked for the following:

Does the Department for the Environment have any policy to counteract the spread of and damage caused by this pretty, bee friendly but damagingly invasive plant? Is DEFRA working with local councils and other authorities and landowners to control this nuisance?

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).

Buddleia (*Buddleja davidii*) is a popular garden plant that has escaped and naturalised across much of England. Defra is currently developing a rapid risk assessment for Buddleia which will assess the associated risks and impacts of the species to GB. As the species has already entered and established in GB the risk assessment provides an assessment on the likelihood of the plant spreading and establishing further. Once complete, the 'rapid risk' assessment will be used to aid prioritisation, to help enable effective rapid responses, and for underpinning decision-making and any resulting policy. As this process is at the risk assessment stage the information that you have requested is not held.

Defra's approach to all invasive non-native species is set out in the Great Britain (GB) Invasive Non Native Species (INNS) Strategy. Resources are committed to: Preventing new incursions of INNS that have yet to establish in GB, and the eradication of INNS where evidence has indicated that it is feasible to do so. Under our duty to advise and assist please see the link below to the Strategy:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/455526/gb-non-native-species-strategy-pb14324.pdf

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's Office (ICO), 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 ICO's view, Defra has not conducted a public interest test in this case.

We can confirm that to the best of our knowledge the information is not held by another public authority

Information disclosed in response to this EIR request is releasable to the public. In keeping with the spirit and effect of the EIRs 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 A, explaining the copyright that applies to the information being released to you, and 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

Marie Taylor
Information Rights Team
InformationRequests@defra.gsi.gov.uk

Annex A

Copyright

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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 Nick Teall, Head of Information Rights, Seacole Building, 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