

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

Date: 28 October 2024

Public Authority: Department for Energy Security and Net Zero
Address: 3-8 Whitehall Place
London
SW1A 2AW

Decision (including any steps ordered)

1. The complainant requested information relating to meetings on carbon capture from the Department for Energy Security and Net Zero (DESNZ). By the date of this notice DESNZ had not issued a substantive response to this request.
2. The Commissioner's decision is that DESNZ has failed to respond to the request within 20 working days and has therefore breached regulation 5(2) of the EIR.
3. The Commissioner requires DESNZ to take the following steps to ensure compliance with the legislation:
 - Issue the complainant with a substantive response to the request in accordance with its obligations under the EIR.¹
4. DESNZ must take these steps within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of the Freedom of Information Act and may be dealt with as a contempt of court.

¹ The Commissioner expects DESNZ to take appropriate precautions to protect any personal data when disclosing information in a spreadsheet or similar format; [Information Commissioner's Office - Advisory note to public authorities | ICO](#)

Request and response

5. On 12 October 2023, the complainant made the following request for information to DESNZ:

"Government transparency data shows that the following meetings took place in the final quarter of 2022.

12/10/2022: Jacob Rees Mogg met with the CCSA, Societe Generale, Equinor, Exxon Mobil, Shell

18/10/2022: Graham Stuart met with the CCSA

19/10/2022: Jacob Rees Mogg met with the NSTA

1/11/2022: Graham Stuart met with the Northern Endurance Partnership, BP, Storegga, Progressive Energy, Carbon Clean, 8 Rivers Capital, CCSA, Equinor

12/12/2022: Graham Stuart met the Carbon Capture Utilisation and Storage Council

In early 2023 the following meetings also took place

11/1/2023: Grant Shapps met with Alfanar

21/1/2023: Graham Stuart met with Uniper Energy

I am writing to request documents related to each of these seven meetings including but not limited to

- a. Agendas
- b. Minutes
- c. Briefing notes
- d. Readouts
- e. Other meeting memoranda

I would prefer to receive all information in electronic format and in machine-readable formats such as .xls where applicable."

6. To date, the complainant has not received a response to their request for information.

Reasons for decision

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

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

8. 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.”

9. The Commissioner contacted DESNZ on 9 October 2024 reminding it of its responsibilities and asking it to provide a substantive response to the complainant within 10 working days. Despite this intervention DESNZ has failed to respond to the complainant.

10. From the evidence provided to the Commissioner in this case, it is clear that DESNZ did not deal with the request for information in accordance with the EIR. The Commissioner’s decision is that DESNZ has breached regulation 5(2) by failing to respond to the request within 20 working days and it is now required to respond to the request in accordance with the EIR.

Right of appeal

11. 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: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

12. 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.
13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

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