

21 July 2010

Our ref: R00224

RE: Freedom of Information request – Landfill Investigations at Pagham Harbour Local Nature Reserve

Following our response to your request made under the terms of the Freedom of Information Act 2000, which we sent to you on the 29th of June 2010, we have now concluded the public interest test concerning disclosure of the requested information under the Environmental Information Regulations 2004 (EIR).

Information requested

I have attached copies of the two Mouchel reports relating to the Pagham Harbour Nature Reserve site, which were jointly commissioned by SEEDA and West Sussex County Council. These are:

- Interpretative Ground Investigation Report, Feb 2008 (Appendix 1)
- Phase 2 Ground Investigation Interpretative Report, Dec 2009 (Appendix 2)

Under the terms of the EIR 2004 we have considered whether the reports include information which could be considered confidential. SEEDA consulted with the Environment Agency, West Sussex County Council and the RSPB to consider whether any information within the report should be withheld under regulation 12 (5) (d) '*Confidentiality of public authority proceedings when covered by law*' or regulation 12 (5) (e) '*Confidentiality of commercial or industrial information, when protected by law to cover legitimate economic interest*' and regulation 13 '*Personal Information*' of the EIR.

Based on the findings of the of the public interest test, we have decided to withhold some information under EIR regulation 13 '*Personal Information*'. SEEDA's policy is that it is not in the public interest to disclose the names of individuals unless they are senior SEEDA staff who have provided their consent, or individuals who are already well known in the public domain. In this case all names of individuals have been redacted. We found no grounds to withhold release under the other exceptions considered.

Additional Information

SEEDA also holds the supporting documentation that served to underpin the Interpretative Ground Investigation Report submitted by Mouchel in February 2008. This set of documents includes test results, laboratory summaries and other highly technical details and was originally appended to the Interpretative Ground Investigation Report submitted in February 2008 (Appendix 1). The report makes a full account of the evidence presented therein. This information is

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only available in a hard copy. Please let us know in case you require the supporting documentation. Potential disclosure of the supporting documentation would also be subject to a public interest test.

Appendices: Appendix 1: Interpretative Ground Investigation Report, Feb 2008
Appendix 2: Phase 2 Ground Investigation Interpretative Report,
Dec 2009