



Department
for Environment
Food & Rural Affairs

helpline@defra.gsi.gov.uk
www.gov.uk/defra

Your ref:
Our ref:
Date: 28 March 2014

Dear [REDACTED]

REQUEST FOR INFORMATION: Details of meetings and correspondence between Defra and five sugar organisations

My letter of 28 February I provided a partial response to your request under the Freedom of Information Act, received on 4 February, asking for details of meetings and correspondence between Defra and five named sugar organisations.

In that letter, I explained that an extension to the deadline for a final response was required, to consider whether the remainder to the information held, could be released or whether it would fall under one or more of the FOIA's exemptions to which the public interest test applies.

Following careful consideration we have concluded that all of the identified correspondence can be released and copies are enclosed with this letter. Additionally, we have identified two additional meetings to those listed in Annex A to my previous letter. These are listed in Annex A to this letter. My apologies for the initial oversight in omitting them.

The released documents include information which cannot be disclosed and which has been redacted because it falls under one or more exemptions of the FOIA. The relevant exemption is Section 40(2) (third party personal data). This provides that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA). We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the personal data, second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA. Therefore, we have concluded that this information is exempt from disclosure under section 40(2) of the FOIA.



One document – note of meeting on 9 December 2013 – ‘Workshop on Common Agriculture Policy’ cannot be released because the information is exempt under Section 22 of the FOI. Section 22 applies where there is a firm intention by the public authority that the information will be published.

In applying this exemption we have had to balance the public interest in immediate disclosure in response to an individual request on the one hand and subsequent general disclosure on the other. In this case we have concluded that it is reasonable that the information should be withheld from immediate disclosure. This will allow Defra to focus on collating and analysing all of the evidence received to ensure that we have a complete and accurate record of the workshop. It is intended that this material (i.e. note of the CAP reform workshop) will be published alongside the Agriculture Report of the Balance of Competences Review during the summer 2014.

I attach Annex B, which explains the copyright that applies to the information being released to you.

I also attach Annex C 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

A black rectangular redaction box covering the signature area.

Annex A

List of meetings between Defra and ACP Sugar Group

The following is a list of meetings between ACP Sugar Group and Defra which were not listed in my first reply of 28 February

Date of meeting	Subject
5 August 2011	CAP reform
2 November 2010	CAP reform

We are unable to release the names of the Defra officials meeting attending the meeting listed in the table. Section 40(2) (third party personal data) provides that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA). We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the personal data, second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA. Therefore, we have concluded that this information is exempt from disclosure under section 40(2) of the FOIA

Annex B

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) 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.

Most documents produced by Defra will be protected by Crown Copyright. Most Crown copyright information can be re-used under the [Open Government Licence](#). For information about the OGL and about re-using Crown Copyright information please see [The National Archives website](#).

Copyright in other documents may rest with a third party. For information about obtaining permission from a third party see the [Intellectual Property Office's website](#).

Annex C

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