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By email: [Redacted]

Our ref: FOI2023/15108
1 September 2023

Dear [Redacted]

REQUEST FOR INFORMATION: Meetings with the Agriculture and Horticultural Development Board (AHDB)

Thank you for your request for information of 31 July 2023 about meetings with the Agriculture and Horticultural Development Board (AHDB). We have handled your request under the Freedom of Information Act 2000 (FOIA).

Your information request and our response are set out below.

Could I please have a copy of the following documents:

- *Any documents - briefings, email correspondence, meeting minutes - related to meetings between minister Mark Spencer and the Agriculture and Horticultural Development Board (AHDB) on 01/02/2023*

We can confirm that we hold two documents within scope of your request, and these are attached as follows:

Briefing – Annex C

Readout – Annex D.

Some information within Annex C has been withheld as it falls within the exemption in section 35(1)(a) of the FOIA which relates to the formulation of government policy.

In applying this exemption we have had to balance the public interest in withholding the information against the public interest in disclosure.

We recognise that there is a public interest in disclosure of information regarding the Government's engagement with the Agriculture and Horticulture Development Board (ADHB), and that release of such information promotes transparency and accountability. However, there is a stronger public interest in withholding the information because it is important that public authorities have a safe space in which officials can operate and discuss policy options to advise Ministers in preparation for stakeholder discussions. Policy development is at an early stage and release of the information at this stage would have the potential to cause speculation and misinformation, particularly among Defra's stakeholders and affected businesses. Therefore, we have concluded that in all circumstances of the case, the information should be withheld.

In addition, after careful consideration we have decided that some information within Annex D should be withheld under sections 40(2) and 40(3A) of the FOIA as the information constitutes personal data relating to persons other than you. These sections exempt personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data protection principles in Article 5(1) of the UK General Data Protection Regulation (GDPR).

We consider that disclosure of this information is likely to breach the first data protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute 'fair' processing of the personal data because the individuals concerned would not reasonably expect their personal details to be made public.

Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA 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

[Redacted]

Information Rights Team
InformationRequests@defra.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 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to ^[Redacted], Head of Information Rights via email at InformationRequests@defra.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 using the following link:

<https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>