



Rural Payments Agency

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**05 March 2025**  
**Our ref: RFI 7316**

Dear [REDACTED]

### **Environmental Information Regulations – Information Request**

Thank you for your email on 17 February, in response to our email of the same date regarding your request for information on 14 February. Your request has been dealt with under the Environmental Information Regulations 2004 (EIR).

You have requested information relating to Garlic Imports on License from China, since Brexit, namely the following:

1. Number of importers registered under the license scheme
2. Name of importers and the license volume for each importer for each year since Brexit
3. Maximum and minimum license volume given to importers each year.

We respond as follows:

1. Please refer to 'Annex 1'
2. RPA Can confirm it holds the information requested.

However, following careful consideration, we are unable to divulge any information for the reasons set out below.

Regulation 12(5)(e) exempts disclosure of commercially confidential information.

This exemption is engaged when information is commercial in nature and is also confidential under either the common-law of confidence or contract which protects a legitimate economic interest where the confidentiality of disclosure would be adversely affected.

As your request covers information about *'name of importers and the license volume for each importer'* it includes information which is at its core commercial in nature and is covered by a common-law of confidence, in that this information is not trivial and for public consumption. Also, this information is held by the RPA and there is an expectation it would not be shared with any other party and held in confidence.

In applying this exception, we have had to balance the public interest in maintaining the exceptions against the public interest in disclosure. We have taken account of the presumption in favour of disclosure as required by regulation 12(2) of the EIR.

We recognise that there is a public interest in information about the activities of regulatory bodies as it is in the public interest to facilitate the accountability and transparency of public authorities for decisions taken by them, and for their spending of public money. Such transparency assists individuals in understanding decisions made by public authorities affecting their lives and, in some cases, in challenging those decisions.

Conversely, the disclosure of such information could allow others to gain access to commercial information, potentially causing a prejudicial impact on the commercial interests of a company which may potentially disadvantage them. Disclosing information of this sort could also potentially expose the company further by placing details of their business in the public domain.

Disclosure could also undermine our relationships with our customers and stakeholders as it would inhibit the effective management of our schemes including any decisions made or information provided in confidence. The RPA has a duty to protect the integrity of confidential information by not placing it in the public domain.

Therefore, there is a strong public interest to ensure, that where there is no valid justification for release, we would not place commercially sensitive information in the public domain which would cause harm to the legitimate economic interests of that company.

For the above reasons the RPA considers that the weight of public interest lies in withholding the information requested.

### 3. Please refer to 'Annex 1'

We also attach Annex A below, explaining the copyright that applies to the information being released to you.

#### **What you need to do**

If you are not happy with the way we have handled your request, you can ask for an internal review. These requests should be submitted in writing within two months of the date of receipt of the response to your original request. You should email your request for a review to [IRT@rpa.gov.uk](mailto:IRT@rpa.gov.uk)

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision by following the link to the Information Commissioner's website [here](#).

They can also be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted RPA's own complaints procedure.

## If you need further information

If you have any questions about this email, you can contact us by email [irt@rpa.gov.uk](mailto:irt@rpa.gov.uk).

You can find more information on how we handle personal data in our [Personal Information Charter](#) and [RPA Customer Privacy notices](#) on [GOV.UK](#)

Yours sincerely

### Information Rights Team

Rural Payments Agency | Eden Bridge House | Lowther Street | Carlisle | CA3 8DX

**Tel:** 03300 416502 | **Email:** [IRT@rpa.gov.uk](mailto:IRT@rpa.gov.uk)

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