

Reference Number: DAERA/26-478

Request Details:

Various information relating to a meeting held on Monday, 6 July, between Minister Muir and UFU representatives.

CAFRE
FFRAG



Department of

**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'

**Fairmin, Environment
an' Kintra Matthers**

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13 August 2026

Dear ██████████,

Freedom of Information Act 2000

With regard to your request for information received by the Department on 15 July 2026 which sought the following information:

Various information relating to a meeting held on Monday, 6 July, between Minister Muir and UFU representatives Trevor Gabbie, Roy Lyttle and Clement Lynch, which discussed challenges facing Northern Ireland's horticulture sector. Including, but not restricted to:

- 1) Letters, email, electronic messenger and any other communications discussing this meeting before or after the engagement.**
- 2) Minutes and any other records from the meeting and any associated engagements (virtual, hybrid and in-person).**
- 3) The time, date, venue and a full list of attendees of any such meetings and engagements (virtual, hybrid and in-person).**
- 4) Any presentation materials circulated or used at any such meetings and engagements.**
- 5) Any briefing notes or documents shared or used at any such meetings and engagements.**

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I can advise that the Department has completed its search and can confirm that it holds the information you requested which is attached as Annex A of this reply.

The supply of information in response to a freedom of information request does not confer an automatic right to re-use the information. Under UK copyright law you can use any information supplied for the purposes of private study and non-commercial research without requiring permission. Similarly, information supplied can also be re-used for the purposes of news reporting. An exception to this is photographs.

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If you require any clarification, believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact me in the first instance to see if it is a matter that can be resolved.

If you are unhappy with the manner in which your request for information has been handled or the decision to release/withhold information, you have the right to request a formal review by the Department. If you wish to do so, please contact The Review Section either by e-mailing daera.informationmanager@daera-ni.gov.uk or by post at The Department of Agriculture, Environment and Rural Affairs, Data Protection & Information Management Branch, Floor 2, Jubilee House, 111 Ballykelly Road, Ballykelly, Limavady BT49 9HP, within two months from the date of this letter.

If after such an internal review you are still unhappy with the response, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, CHESHIRE SK9 5AF, who will undertake an independent review of the Department's decision.

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Information within scope of the request was reviewed and assessed against the provisions of the Freedom of Information Act 2000. It was determined that elements of the information engaged Sections 40(2), 41 and 43(2).

Section 40(2) was applied to personal data relating to identifiable individuals, including names, contact details and information from which individuals could be identified. Disclosure would constitute disclosure to the world at large and would be contrary to the data protection principles. A UFU press release about the visit including the names of some participants was considered.

Section 41 was applied where information had been provided by external stakeholders and third parties in circumstances giving rise to an expectation of confidentiality. Disclosure would be likely to undermine the confidential nature of those communications and the Department's ability to obtain similar information in future.

Section 43(2) was applied to information containing commercially sensitive material relating to businesses, industry representatives and stakeholders. Disclosure would, or would be likely to, prejudice commercial interests by revealing operational information, business activities, commercial positions, future plans and commercially sensitive views provided to the Department.

Public Interest Tests were undertaken in relation to Sections 41 and 43(2).

Public Interest Test – FOI DAERA/26-478

Section 43(2) – prejudice to commercial interests.

This exemption covers –

- When complying with the request would prejudice or would be likely to prejudice someone's commercial interests.

The exemption to be considered here is 43(2) – commercial interests.

This is a qualified exemption, and a public interest test applies here.

Qualified exemptions do not justify withholding information unless, following a proper assessment, the balance of the public interest test comes down against disclosure, i.e. if the exemption applies would the public interest in withholding outweigh the public interest in disclosing?

Section 43(2) is a prejudice-based exemption which says that information is exempt if its disclosure under FOIA would, or would be likely to, prejudice the commercial interests of any legal person (including the public authority holding it).

A commercial interest relates to a legal person's ability to participate competitively in a commercial activity.

If you hold commercial information, it does not necessarily follow that this information is exempt from disclosure under section 43(2). It is necessary to show how and why its disclosure has the potential to prejudice someone's commercial interests.

Reasons why the public interest would favour disclosure:

- Consideration was given to the public interest in openness, transparency and accountability regarding the Department's engagement with stakeholders and development of policy.

Reasons why the public interest would favour withholding:

- Consideration was given to the need to preserve stakeholder confidence, protect confidential communications, safeguard commercially sensitive information and maintain the Department's ability to receive full and frank information from external organisations and businesses.

Conclusion

Following consideration of the Public Interest Test the Department concluded that the public interest in maintaining the exemptions outweighed the public interest in disclosure. Further detail is contained within the associated Public Interest Test records.

Lawful Processing/Fairness Tests were undertaken in relation to Sections 40(2).

Lawful Processing/Fairness Test – FOI DAERA/26-478

Section 40(2) – Disclosing personal Information relating to a third party

This exemption covers –

- When complying with the request, releasing personal data within the meaning of the Data Protection Act 2018

The exemption to be considered here is 40(2) – Personal Information relating to a third party.

This is a qualified exemption, and a lawful processing/fairness test applies here. Qualified exemptions do not justify withholding information unless, following a proper assessment, the balance of the public interest test comes down against disclosure, i.e. if the exemption applies would the public interest in withholding outweigh the public interest in disclosing?

Section 40(2) is an exemption under UK GDPR and the Data Protection Act 2018 which says that information is exempt if its disclosure under FOIA would, or would be likely to, contravene any of the data protection principles in the Data Protection Act 2018

Reasons why the public interest would favour disclosure:

- The right of the public to have access to information.

Reasons why the public interest would favour withholding:

- The individuals concerned would not reasonably expect their personal information to be disclosed into the public domain through an FOI response.
- No sufficient lawful basis or overriding legitimate interest was identified that would outweigh the privacy rights of the individuals concerned.

Conclusion

Following consideration of the Public Interest Test the Department concluded, no sufficient lawful basis or overriding legitimate interest was identified that would outweigh the privacy rights of the individuals concerned. Accordingly, the personal data was redacted under Section 40(2).

Yours sincerely,



**Horticulture Branch,
CAFRE.**

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