



Reference: **DAERA/26-493**

Your Ref: 662172 and 670916

Mr. Michael Robson

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AESD Information Management Team

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Date: 21 August 2026

Dear Mr. Robson,

Environmental Information Regulations 2004.

Thank you for your email correspondence received by the Department on 23 July 2026, in which you have requested information in relation to the Department's "Dormant Business Review" exercise, "which commenced in May 2023, regarding the culling and deactivation of Category 1 farm business IDs".

The Department has considered your request and carried out a search of records. I can confirm that it holds some information related to your request. I will respond to your questions in the order they were listed:

- 1. Policy and Criteria Documents:** Any internal guidance, policy documents, or standard operating procedures used by DAERA staff to identify, categorise, and select Category 1 farm business IDs for deactivation due to dormancy.

I can confirm the Department holds some of the information you have requested. Please find attached the information that is held in relation to your request. The documents are contained within a Win-zip file attached to this email for your convenience.

Please note any third party/personal information has been withheld as the Department considers this to be personal data of which you are not the data subject. The Department therefore considers regulations 12(3) and 13(1) of the EIR to be engaged, which state:

12(3) “To the extent that the information requested includes personal data of which the applicant is not the data subject, the personal data shall not be disclosed other than in accordance with Regulation 13”; and

13(1) “To the extent that the information requested includes personal data of which the applicant is not the data subject.”

As some information constitutes personal data of which you are not the data subject. Regulation 12(3) and Regulation 13 prohibit the disclosure of third-party personal data that would contravene UK GDPR or the DPA 2018. As such, the Department is required to consider if disclosure would breach the first Data Protection principle which states that processing must be “lawful, fair and transparent.” A lawful, fairness and transparency test has been conducted and is attached as form Annex A.

In addition, some information has been withheld in support of Regulation 12(4)(e). Under Regulation 12(4)(e) of the Environmental Information Regulations 2004, the Department is excepted from the duty to disclose some of the information on the grounds that this relates to the disclosure of internal communications.

This exception has been engaged to allow for a safe space for the Department and staff to think privately when reaching decisions and also to protect the Department’s internal decision-making processes. Final versions of the Department’s policy and the associated “Lines to Take” have been provided to you in the Win-zip file attached to this email.

2. Notification and Appeal Processes: Any documents outlining the internal procedures for notifying affected individuals, and the formal process or criteria for appealing/reversing a deactivation.

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If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

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I can confirm that copies of the final policy document and the Departmental “Lines to Take” regarding this matter have been provided to you in the Win-zip file attached to this email for your convenience.

3. Internal Communications: Correspondence, minutes of meetings, or briefing notes from January 2023 to the present date regarding the impact of this culling exercise on farmers who do not claim area-based subsidies but remain active (e.g., arable farmers or those managing land for rural planning/PPS 21 purposes).

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If you require any clarification or believe that any part of your request has been overlooked, misunderstood, or misinterpreted, please contact the Agricultural and Environmental Schemes Division Information Management Team at the email address or telephone number above 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, Jubilee House, 111 Ballykelly Road, Ballykelly, Limavady BT49 9HP, within two months from the date of this letter.

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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.

Yours sincerely,



Mairead O'Neill
Acting Head of AESD Governance and Scoping Branch

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