

Our Reference: **DAERA/23-149**

[REDACTED] Via email  
[REDACTED]

Industrial Pollution and Radiochemical  
Inspectorate  
Klondyke Building  
Cromac Avenue  
Gasworks Business Park  
Malone Lower  
Belfast  
BT7 2JA

Tel: [REDACTED]

Email: [IPRI@daera-ni.gov.uk](mailto:IPRI@daera-ni.gov.uk)

30 May 2023

Dear [REDACTED],

### **Environmental Information Regulations 2004 (EIR)**

I refer to your email received by the Department on 2<sup>nd</sup> May 2023 requesting a list of intensive pig, chicken, beef and dairy farms in an excel spreadsheet, with name of farm, type of farm, size of herd (approximate if necessary), address, and lat/long location.

I am writing to advise that the Department has completed its search and can confirm that the Department holds the information requested. However, some of the information has been withheld for the following reasons:

- It is considered Personal Data of which you are not the data subject. Section 40(2) provides an exception from disclosure. A Lawfulness, Fairness and Transparency Test has been conducted and is attached as Annex A.

The information requested below which the Department can disclose are attached at Annex B & C

- Annex B: Details of intensive poultry (> 40,000 bird places) and pig (>2,000 places for pigs >30kg; >750 sow places) farms which hold a Pollution Prevention and Control (PPC) Permit – Details of PPC permits along with their associated decision documents are available on the IPRI public register <https://www.daera-ni.gov.uk/articles/public-registers>
- Annex C: Details of bovine herds (dairy & beef) with more than 300 cattle.

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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.

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.

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If you are unhappy with the manner in which your request for information has been handled or the decision you have the right to request a formal review by the Department. If you wish to do so, please write to The Review Section, The Department of Agriculture, Environment and Rural Affairs, Information Management Branch, Room 507, Dundonald House, Upper Newtownards Road, Ballymiscaw, BELFAST, BT4 3SB, 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.

Yours sincerely



**Industrial Pollution and Radiochemical Inspectorate  
NIEA**

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## LAWFULNESS, FAIRNESS AND TRANSPARENCY TEST

DAERA/23- 149 Freedom of Information Act 2000

### Request Details:

Please could you send me a list of intensive pig, chicken, beef and dairy farms?

Please could you send it in an excel spreadsheet, with name of farm, type of farm, size of herd (approximate if necessary), address, and lat/long location

### Brief description of the Personal Data falling within the scope of the request

Name of farm and addresses and lat/long locations

## LAWFULNESS

### Please identify the lawful bases for processing

Personal data is processed when it is lawfully disclosed in response to an FOI request.

The lawful bases for processing are set out in Article 6 of the GDPR and the ICO expects at least one of two lawful bases (Consent / Legitimate Interest) to apply before the personal data held can be disclosed.

- Consent:** This will apply when the data subject(s) clear consent exists that allows you to disclose the personal data falling within the scope of this request.
- Legitimate interests:** the processing is necessary for the Department's legitimate interests or the legitimate interests of a third party that overrides the data subject(s) rights and freedoms, particularly their right to privacy.

### Consideration of Legitimate Interests

#### 1. PURPOSE

As the disclosure of personal data under FOI is to the world at large doing so on the strength of a requester's private interests alone could constitute a disproportionate and unwarranted level of interference with the data subject(s) rights and freedoms, particularly their right to privacy and family life under the Human Rights Act 1998.

#### 2. NECESSITY

The right of access under FOI does not in itself constitute a **pressing social need**. The Department has considered and not identified any such need for the data subject's right to privacy to be interfered with.

## CONCLUSION

Having considered all of the information contained within this test, the Department has established that, on balance, there is no lawful basis for the disclosure of third party personal data falling within the scope of the request of which the requester is not the data subject.

**Veterinary Service Animal Health Group**